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ABSTRACT

This publication, latest in a series of volumes issued annually since 1960, contains primary source documents on arms control and disarmament developments during 1969. The main chronological arrangement is supplemented by both chronological and topical lists of contents. Other reference aids include a subject/author index, and lists of abbreviations, international organizations, conferences, and persons. Among other things, contents include: documents and statements originating from national and international organizations; presidential and congressional statements and letters; news conference remarks; transcripts of congressional hearings and testimonies; conference reports; and, statements by foreign officials. Supplemental material consists of: 1) a bibliography of documents on disarmament and arms control issued by the U.S. government and the United Nations; and, 2) the Ninth Annual Report of the U.S. Arms and Disarmament Agency (see SO 000 851 for a description of this Report). (JLB)

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UNITED STATES ARMS CONTROL
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UNITED STATES ARMS CONTROL
AND DISARMAMENT AGENCY

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

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FOREWORD

The present publication is the latest in a series of volumes that have been issued annually since 1960. It contains basic documents on arms control and disarmament developments during the year. The work of the United States Arms Control and Disarmament Agency is described in the 9th annual report, which is printed at the end of the documentary material.

The documents are printed chronologically. They are preceded by a topical list of documents and followed by a chronological list. Other reference aids include lists of abbreviations, international organizations and conferences, and persons. The volume also includes a bibliography and an index. The papers were compiled and annotated by Robert W. Lambert, with the assistance of Ruth Ihara and Jean Mayer. Useful suggestions were also received from other officers of the United States Arms Control and Disarmament Agency.

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LIST OF ABBREVIATIONS

A/—General Assembly [1]
ABM—antiballistic missile
/AC—*Ad Hoc* Committee [1]
ACDA—U.S. Arms Control and Disarmament Agency
/Add.—addendum [1]
AEC—Atomic Energy Commission
AMSA—advanced manned strategic aircraft
ARPA—Advanced Research Projects Agency
ASM—air-to-surface missile
AWAC—airborne warning and control system
B—(1) bacteriological, (2) biological
BG—Board of Governors [1]
BMEWS—ballistic missile early warning system
BUIC—backup interceptor control system
C—(1) chemical, (2) Committee [1]
C.1/—First (Political and Security) Committee [1]
CANDU—Canadian Heavy-water Reactor
CBW—chemical and biological warfare or weapons
CC—Central Committee
CCD—Conference of the Committee on Disarmament [1]
CIA—Central Intelligence Agency
CNNWS—Conference of the Non-Nuclear Weapon States
Com.—Committee
Cong.—Congress
CONUS—continental United States
COPREDAL—Preparatory Commission for the Denuclearization of Latin America
C.P.R.—Chinese People's Republic [2]
Ct—concentration time
DASA—Defense Atomic Support Agency
DC—(1) Disarmament Commission,[1] (2) District of Columbia
DDR & E—Director of Defense Research and Engineering (Army)
DDT — dichlorodiphenyltrichloroethane
DEW—distant early warning
DOD—Department of Defense
E/—Economic and Social Council [1]
ENDC—Eighteen Nation Disarmament Committee [1,3]
EURATOM—European Atomic Energy Community
Ex.—Executive
FAA—Federal Aviation Agency
FAO—Food and Agriculture Organization of the United Nations
FB—fighter bomber aircraft
FOBS—fractional orbit bombardment system
FRG—Federal Republic of Germany
FY—fiscal year
G.A.—General Assembly
GC—General Conference [1]
GDR—German Democratic Republic [2]
GNP—gross national product
IAEA—International Atomic Energy Agency
IBRD—International Bank for Reconstruction and Development
ICBM—inter-continental ballistic missile
ILO—International Labor Organization [1]
INFIRC—information circular [1]
INIS—International Nuclear Information System [1]
IRBM—intermediate-range ballistic missile
ISA—International Security Agency
JCS—Joint Chiefs of Staff
Jt.—Joint
kt—kiloton
/L.—working document with limited distribution [1]
MBFR—mutual and balanced force reduction
MIRV—multiple independently targetable re-entry vehicle
MIST—minor isotope safeguard technique
MLF—multilateral force
MPR—Mongolian People's Republic [2]
MRBM—medium-range ballistic missile
MRV—multiple re-entry vehicle
MSR—missile site radar
MT—megaton
MW—milliwatt
NASA—National Aeronautics and Space Administration
NATO—North Atlantic Treaty Organization
NFS—Nuclear Fuel Services
NIE—National Intelligence Estimate
n. mi—nautical mile
NORSAR—Norwegian Seismic Array
NPT—nuclear nonproliferation treaty
NSC—National Security Council
O & M—operation and maintenance
OPANAL—Organization (or Agency) for the Prohibition of Nuclear Weapons in Latin America [1]

OTH—over-the-horizon
PAR—perimeter acquisition radar
prov.—provisional
pt.—part
PV—procès verbale (verbatim record)
R & D—research and development
rept.—report
Res.—resolution [1]
Rev.—revised, revision [1]
ROTC—Reserve Officers' Training Corps
R-waves—Rayleigh surface waves
S.—Senate
SABMIS—seabased ABM intercept system
SAC—Strategic Air Command
SAGE—semi-automatic ground environment system
SALT—strategic arms limitation talks
SAM—surface-to-air missile
SC—Security Council [1]
SCAD—subsonic cruise armed decoy
sess.—session
SF—Special Fund
SHAPE—Supreme Headquarters Allied Powers Europe
SIPRI—Stockholm International Peace Research Institute
SLBM—submarine-launched ballistic missile
SNF—Special Nuclear Fund
SPASUR—space surveillance system
SPADAT—space detection and tracking system
SRAM—short-range attack missile
SS—surface-to-surface (missile)
SSBN—fleet ballistic missile submarine
SSR—Soviet Socialist Republic
Stat.—United States Statutes at Large
TA—technical assistance
TU—Tupolev (aircraft designed by)
UAR—United Arab Republic
UE—unit equipment
U.K.—United Kingdom
U.K.A.E.A.—United Kingdom Atomic Energy Authority
ULMS—undersea long-range missile system
U.N.—United Nations
UNDP—United Nations Development Program [1]
UNDP/SF—United Nations Development Program Special Fund [1]
UNDP/TA—United Nations Development Program Technical Assistance [1]
UNESCO—United Nations Educational, Scientific and Cultural Organization
U.N.G.A.—United Nations General Assembly
UNTS—United Nations Treaty Series
U.S.—United States
USAF—United States Air Force
U.S.C.—United States Code
U.S.C.G.S.—United States Coast and Geodetic Survey
USNS—United States Naval Ship (civilian manned)
U.S.S.R.—Union of Soviet Socialist Republics
UST—United States Treaties and Other International Agreements
WHO—World Health Organization
WMO—World Meteorological Organization
WPA—Work Projects Administration
WWSN—World-Wide Standard Seismograph Network

[1] Abbreviation used in documents of United Nations organs or international conferences served by the United Nations Secretariat.
[2] Communist regime not recognized by the United States.
[3] Title changed to Committee on Disarmament in 1969; see *post*, p. xvii.

LIST OF PRINCIPAL ORGANIZATIONS AND CONFERENCES

Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction, 1968– .

Established by General Assembly Resolution 2467 A (XXIII), Dec. 21, 1968. Met in three sessions: Feb. 6–Feb. 7, Mar. 10–Mar. 28, and Aug. 11–Aug. 29, 1969. Five additional meetings held on Nov. 11, 12, 18, 19, and 20, 1969. *Membership:* Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Cameroon, Canada, Ceylon, Chile, Czechoslovakia, El Salvador, France, Iceland, India, Italy, Japan, Kenya, Kuwait, Liberia, Libya, Madagascar, Malaysia, Malta, Mauritania, Mexico, Nigeria, Norway, Pakistan, Peru, Poland, Romania, Sierra Leone, Sudan, Thailand, Trinidad and Tobago, U.S.S.R., U.A.R., United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, U.S., and Yugoslavia.

Disarmament Commission, 1952– .

Established by General Assembly Resolution 502 (VI), Jan. 11, 1952. Since 1959 the Commission has comprised all U.N. members.[1] It did not meet in 1969.

Eighteen Nation Committee on Disarmament, 1962–1969. Committee on Disarmament, 1969– .

Announced at the United Nations, Dec. 13, 1961 and endorsed by General Assembly Resolution 1722 (XVI), Dec. 20, 1961. Name changed to Committee on Disarmament, Aug. 26, 1969. 15th session, Mar. 18–May 23, 1969; 16th session, July 3–Oct. 30, 1969. *Original members:* Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, France,[2] India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, U.A.R., U.K., U.S., U.S.S.R. *New members admitted July 3, 1969;* Japan and Mongolia. *New members admitted Aug. 7, 1969:* Argentina, Hungary, Morocco, the Netherlands, Pakistan, Yugoslavia. *Permanent Co-Chairmen:* U.S. and Soviet representatives. *Committee of the Whole:* all members.[3] *Subcommittee on a Treaty for the Discontinuance of Nuclear Weapon Tests:* U.K., U.S., U.S.S.R.[3]

General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL).

Established by the Treaty for the Prohibition of Nuclear Weapons in Latin America.[4] First session of the General Conference, Sept. 2–Sept. 9, 1969 in Mexico City. *Participants:* Bolivia, Costa Rica, Ecuador, El Salvador, Haiti, Honduras, Jamaica, Mexico, Nicaragua, Paraguay, Peru, Dominican Republic, and Uruguay.

International Atomic Energy Agency, 1956– .

Established by Statute of October 26, 1956. *Membership:* 103 in 1969. 13th session of General Conference, Sept. 23–Sept. 29, 1969, in Vienna.

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[1] For previous membership see *Documents on Disarmament, 1960*, p. xii.

[2] France has not participated in the Eighteen Nation Disarmament Committee or the Committee on Disarmament.

[3] Has not met since 1962.

[4] For treaty text, see *Documents on Disarmament, 1967*, pp. 69–83.

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Strategic Arms Limitation Talks Between the United States and the Soviet Union.

Announced July 1, 1968. First session at Helsinki, Nov. 17–Dec. 22, 1969.

United Nations General Assembly.

24th session, Sept. 16–Dec. 17, 1969.

Military Posture Statement by Secretary of Defense Clifford to the House Committee on Armed Services: Strategic Forces [Extract], January 15, 1969 [1]

. . . . . .

The forces and programs included under this heading, that is, the strategic offensive forces, the strategic defensive forces and the civil defense program, constitute the foundation of our general nuclear war capabilities and are accordingly treated in this section of the statement as an integrated whole.

A. THE SIZE AND CHARACTER OF THE THREAT

The continuing rapid expansion of Soviet strategic offensive forces, which could bring them abreast of the United States in numbers of land-based missiles by mid-1969, has become a matter of increasing concern. Other developments in the Soviet strategic forces, both offensive and defensive, together with the entry of Communist China into the ranks of the nuclear powers have added further complicating factors to the strategic equation. It might be useful, therefore, to commence this discussion of our strategic forces with a careful reexamination of the size and character of the threat as we see it now and over the next few years.

Again, our usual note of caution should be borne in mind as we discuss these most recent intelligence estimates. While we have reasonably high confidence in the estimates for the closer-in period, that is, through mid-1970, the projections beyond that point become progressively less certain, especially where they extend past the production and deployment leadtimes of the weapons systems involved.

1. Soviet strategic offensive and defensive forces

Summarized in the table on the following page are the Soviet strategic offensive forces estimated for September 1, 1968. The programed U.S. forces for this same date are shown for comparison.

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[1] *Hearings on Military Posture and Legislation To Authorize Appropriations During the Fiscal Year 1970 for Procurement of Aircraft, Missiles, Naval Vessels, and Tracked Combat Vehicles, Research, Development, Test, and Evaluation for the Armed Forces, and To Prescribe the Authorized Strength of the Reserve Forces, and for Other Purposes, Before the Committee on Armed Services, House of Representatives, Ninety-first Congress, First Session,* pt. 1, pp. xxi–xxxv.

UNITED STATES VERSUS SOVIET INTERCONTINENTAL STRATEGIC NUCLEAR FORCES

	United States	U.S.S.R.
ICBM launchers [2]	1,054	900
SLBM launchers [3]	656	45
Total intercontinental missile launchers	1,710	945
Intercontinental bombers [4]	646	150
Total force loadings—Approximate number of warheads	4,200	1,200

(*a*) *Intercontinental Ballistic Missiles*

We estimate that as of 1 September 1968 the Soviets had approximately 900 ICBM launchers operational, compared with 570 in mid-1967 and 250 in mid-1966—an increase of well over threefold in a period of a little more than 2 years. The rate of increase over the past year has been somewhat greater than estimated a year ago. However, we believe the rate of increase will be considerably smaller over the next two or three years. Beyond that point, our estimates become less firm.

We have been anticipating for some time a Soviet deployment of a solid fuel ICBM. We now believe the deployment of such a missile has started, although at a relatively slow rate.

With regard to the Soviet Fractional Orbit Bombardment System (FOBS), which attracted so much attention last year, our estimates are now quite uncertain. It is possible that the Soviets are trying to develop a weapon which could perform as a depressed trajectory ICBM, a FOBS, or a dual system. A system of either type could reduce the possibility of timely detection by our Ballistic Missile Early Warning System (BMEWS), but not by our planned Over-The-Horizon (OTH) and Satellite-borne missile warning systems. Neither missile system, however, would have a very high order of accuracy and, therefore, they would be useful primarily against soft targets. Because of the uncertainties concerning the characteristics and purposes of this weapon system, we are unable at this time to estimate its deployment. Accordingly, it has been dropped from the estimates as a separate system and included with the other weapons systems launched by the same booster.

(*b*) *Submarine-Launched Ballistic Missiles*

We have known for some time that the Soviets were constructing a new class of nuclear-powered ballistic missile submarines and that

[2] United States and Soviet ICBM launchers used for training and development are excluded. Training and development launchers are included in the total force loadings. Only SLBM's on deployable submarines are included in total force loadings.

[3] In addition to the submarine-launched ballistic missiles (SLBM's) on nuclear-powered submarines, the Soviets have SLBM's on diesel-powered submarines whose primary targets the intelligence community estimates to be strategic land targets in Eurasia. The Soviets also have submarine-launched cruise missiles whose primary targets are believed to be naval and merchant vessels.

[4] We include only heavy bombers which could fly 2-way intercontinental missions. The Soviets also have a force of medium bombers and tankers capable of striking Eurasian targets.

they were testing a new submerged-launched ballistic missile out to a range of about 1,500 n.mi. The first of these new submarines became operational last year. Together with a number of older H-class vessels, the Soviets in September 1968 had approximately 45 SLBM launchers in their nuclear-powered ballistic missile submarine force. In addition to the SLBMs on nuclear-powered submarines, the Soviets have SLBMs on diesel-powered submarines whose primary targets the intelligence community estimates to be strategic land targets in Eurasia.

As noted on previous occasions, the Soviets do not appear to consider their cruise missile submarines a strategic attack system. We believe they are designed primarily for use against ships, but can be used against shore targets.

(*c*) *Manned Bombers*

The estimate of the Soviet manned bomber force is essentially the same as presented last year. There is still no evidence that the Soviets intend to deploy a new heavy bomber in the early 1970s. In addition to the 150 heavy bombers shown on the foregoing table the Soviets also have over 700 medium bombers.

(*d*) *MRBMs/IRBMs*

No significant changes have occurred in the overall size of the Soviet MRBM and IRBM forces during the last year. These forces appear to have leveled off with about 700 operational launchers, some of which are hardened. However, evidence is accumulating that the Soviets have embarked on the development of solid fuel missiles for medium and intermediate as well as intercontinental ranges.

(*e*) *Manned Interceptors*

The Soviet strategic interceptor force now consists of several thousand aircraft, but a slow downward trend has been in evidence for a number of years. Moreover, a large percentage of that force still consists of subsonic or low-supersonic models introduced in 1957 or earlier, i.e., Mig–17s, Mig–19s and Yak–25s. Most of these older models are day fighters and are armed with guns or rockets. A smaller portion of the force is composed of supersonic all-weather interceptors introduced in 1959–64, which are armed with short range air-to-air missiles. A still smaller portion of the force is made up of new aircraft, i.e., Yak–28s, TU–28s and the Flagon–A, equipped with longer range missiles and improved radars. We believe the last two models are still in production and will continue to enter the force.

Beyond the Flagon–A is the Foxbat. This aircraft, still in the development stage, is no doubt a very high performance fighter interceptor.

(*f*) *Surface-to-Air Missiles*

Except for the so-called "Tallinn" system, there have been no significant changes in the deployment of surface-to-air missiles in the Soviet Union during the last year. With respect to the Tallinn system, the passage of another year has convinced a majority of the intelligence community that it is designed against fast, high flying aero-

dynamic vehicles, rather than ballistic missiles, although the latter is a possibility which can not be excluded. As expected, the deployment of this system is continuing.

2. Anti-ballistic missile defense

During the past year, the Soviets apparently curtailed construction at some of the GALOSH ABM complexes they were deploying around Moscow. The significance of this action can not as yet be ascertained. However, it is the consensus of the intelligence community that the GALOSH system as presently deployed could provide only a limited defense of the Moscow area and could be seriously degraded by currently programmed U.S. weapons systems. Nevertheless, until we achieve a workable agreement with the Soviet Union on the limitation of ABM deployments, we must continue to plan our strategic offensive forces on the assumption that they will have deployed some sort of an ABM system around their major cities by the mid-1970s.

3. The Chinese Communist nuclear threat

The Chinese Communists have had for a number of years the technical and industrial capabilities required for the development and deployment of nuclear-armed ballistic missiles. From October 1964 through December 1967 they detonated seven nuclear devices, including three thermonuclear and one low yield device delivered by a missile. (On December 27, 1968, the Chinese Communists detonated their eighth nuclear device. This test was similar to the sixth, conducted in June 1967. Both were apparently thermonuclear devices with yields of about 3MT which were air-dropped. The seventh test, conducted in December 1967, was apparently a partial failure.)

On the basis of the first seven nuclear tests and their continuing work on surface-to-surface missiles, we estimated last year that they could have their first MRBMs (700–1,000-n.mi range) deployed as early as 1967–68, and that by the mid-1970s they could have a modest force operational. However, we still have no firm evidence indicating deployment of these missiles. The apparent failure to begin deployment at least by the end of 1968 would seem to indicate that they have encountered serious problems with the initial system, or that the program has simply fallen victim of the Cultural Revolution and the widespread disruption which that revolution has caused throughout the entire fabric of Chinese society. If the latter, work on these missiles may have been resumed by now, as was the case with the nuclear tests. But in view of all the uncertainties, we now believe that an initial operating capability with an MRBM will occur later than previously estimated.

These same circumstances have also caused us to alter our estimates on the deployment of a Chinese ICBM. Two years ago we had estimated that they would conduct either a space or a long range missile test launching before the end of 1967. We now believe that an initial operating capability with an ICBM will not be achieved until 1972 at the earliest, and more likely later. In any event, we will almost certainly detect extended range firings once they begin and that should give us some advance warning of an initial operating capability.

We have no basis at this time for estimating how far or how fast the Chinese will carry deployment of their first generation ICBM. Assuming that political and economic stability will be reestablished within the next year or so, China could probably generate enough resources to support a moderate and growing ICBM deployment through 1975. Beyond that time frame, there is a possibility that China might significantly improve the initial system which we believe will not have a very high degree of survivability, accuracy or reliability.

The Chinese Communists also have several types of aircraft which could carry nuclear weapons, but most of them have a limited operational capability and none have an intercontinental radius. It is highly unlikely, on the basis of cost alone, that they would undertake the development, production and deployment of an intercontinental bomber force. If they chose to do so, it would take them a decade or more before they could deploy such a force.

B. STRATEGIC NUCLEAR WAR POLICY

It is quite apparent from the foregoing review of the threat that the Soviet Union is moving vigorously to catch up with the United States at least in *numbers* of strategic missiles—both land-based and sea-based. But, it is also apparent that they are still well behind us in advanced missile technology—accuracy, MIRVs and penetration aids. Indeed, their new solid fuel ICBM appears to be no better than our earliest MINUTEMAN missiles, first deployed in FY 1963. Their new ballistic missile submarine is probably most comparable to our earliest POLARIS submarines which first became operational about a decade ago. Their GALOSH ABM system resembles in certain important respects the NIKE–ZEUS system which we abandoned years ago because of its limited effectiveness. Their BISON and BEAR long range bombers are distinctly inferior to our B–52s and we have long since eliminated from our forces the B–47s which were clearly superior to their BADGER medium bombers.

Accordingly, it is reasonable to conclude that even if the Soviets attempt to match us in numbers of strategic missiles we shall continue to have, as far into the future as we can now discern, a very substantial qualitative lead and a distinct superiority in the numbers of deliverable weapons and the overall combat effectiveness of our strategic offensive forces. But even so, we should have no illusions that superiority alone will guarantee our safety. It has become increasingly clear over the years since the end of World War II that once the Soviet Union, as well as the United States, acquired large, protected intercontinental strategic offensive forces neither one could expect to emerge from an all-out nuclear exchange without very grave damage—regardless of which side had the most weapons or which side struck first. This is so because of the enormous destructive power of a single nuclear weapon, the speed and accuracy with which it can now be delivered to its target and the very great technical difficulties involved in defending against any very large number of them.

Many knowledgeable Americans, both within and without the Government, have wrestled with this problem over the years. There is now a very broad consensus that until a truly safeguarded nuclear disarma-

ment agreement is achieved in the context of viable worldwide security arrangements, the only realistic policy we can pursue at this particular juncture is one of deterrence. In other words, we must be prepared to maintain at all times strategic forces of such size and character, and exhibit so unquestionable a will to use them in retaliation if needed, that no nation could ever conceivably deem it to its advantage to launch a deliberate nuclear attack on the United States or its allies.

While the general policy objective of deterrence has been clearly defined and firmly established in recent years, the size and character of the forces required for its support remain the subject of continuing debate. In large part, this debate is concerned with the number and kinds of specific weapons systems and when they should be introduced into our forces. These issues can never be finally resolved, inasmuch as the strategic threat confronting the Nation is continually changing and our own advancements in military technology are always opening up new possibilities for both offense and defense.

But, in addition to these specific weapons systems issues (which will be discussed in detail later), there is a more fundamental problem, and that is the relative weights which should be given to our "Assured Destruction" and "Damage Limiting" objectives in planning our strategic forces. ("Assured Destruction" is defined as the ability to inflict at all times and under all foreseeable conditions an unacceptable degree of damage upon any single aggressor, or a combination of aggressors—even after absorbing a surprise attack. "Damage Limiting" is the ability to reduce the potential damage of a nuclear attack upon the United States through the use of both offensive and defensive weapons.)

It is generally agreed that the primary deterrent is our ability to destroy the attacker in retaliation even after absorbing his first blow, and not our ability to limit damage to ourselves. Damage limiting measures could, of course, contribute to the deterrent—if they could be made truly effective, i.e., reduce damage to some nominal level even after the opponent responded by increasing his offensive forces. But on the basis of our present knowledge of military technology we still see no practical way in which to do this against the kind of attack the Soviets could potentially mount in the 1970s. Accordingly, our best alternative is to continue to base our policy of deterrence primarily on our "Assured Destruction" capability.

Even so, it could still be argued that some "Damage Limiting" capability should be provided as a hedge against the possibility that deterrence might fail. This matter has been vigorously debated over the last four or five years, but the prospects for even a *reasonably* effective "Damage Limiting" capability against the Soviet ballistic missile threat are quite uncertain because the USSR could make offsetting improvements in their missile forces which could seriously reduce the effectiveness of any extended ABM defense we might choose to deploy at this time.

The provision of an effective "Damage Limiting" capability against Communist China is quite another matter. As noted earlier, the Chinese strategic threat, at least through the mid-1980s, is expected to consist of a relatively small force of first generation ICBMs.

Against such a force, a thin ABM defense, such as our presently planned SENTINEL system, is both technically and economically feasible and should be able to offer a very high degree of protection to our population and industry. The SENTINEL system could, of course, be employed against a Soviet ICBM attack as well, but it would have little effect on the final outcome of that attack. Its existence, however, will contribute to our deterrent by complicating the Soviets' targeting problem and adding to the many uncertainties which are already inherent in planning a strategic nuclear attack.

We remain convinced, however, that insofar as the Soviet threat is concerned, we should continue to give first priority in the allocation of available resources to the primary objective of our strategic forces, namely, "Assured Destruction". Until technology progresses to the point where an effective ABM defense against the Soviet threat becomes feasible, our major hope for limiting damage if a nuclear war occurs is that it can be stopped short of an all-out attack on our cities. We try to bring this about by providing our forces with characteristics that will permit them to be used effectively in a limited and controlled retaliation as well as for "Assured Destruction", thereby being prepared for any type of Soviet attack.

We also remain convinced that we must explore with the utmost diligence every avenue of negotiation which might lead to a meaningful and verifiable agreement on the limitation of strategic forces—both offensive and defensive. We stand on the eve of a new round in the armaments race with the Soviet Union, a race which will contribute nothing to the real security of either side while increasing substantially the already great defense burdens of both. Conversely, an appropriately designed and safeguarded limitation agreement can maintain our deterrent posture at present levels and enhance the stability of the strategic balance. The Soviet incursion into Czechoslovakia made the opening of talks on this matter inappropriate last year. It is our hope that the Soviet leaders will reestablish an atmosphere in which talks can begin.

Meanwhile, we should move forward promptly on the ratification of the Non-Proliferation Treaty which now lies before the Senate. This Treaty does not provide any unique advantages for the Soviet Union. The United States and all other signatory nations will share equally from the benefits which it provides.

C. CAPABILITIES OF THE PROPOSED U.S. FORCES FOR "ASSURED DESTRUCTION"

While numbers of Soviet and U.S. warheads, delivery systems, megatons and many other factors are taken into account in the analysis of our strategic forces requirements, the soundest measure of the effectiveness of these forces in the "Assured Destruction" role is their ability, even after absorbing a well-coordinated surprise strike to inflict unacceptable damage on the attacker. The following two sections of this Statement summarize the results of our most recent analysis of our "Assured Destruction" capabilities: first, against the "Highest Expected Threat" projected in the latest National Intelligence Estimates (which were discussed earlier) and, second, against a Greater-Than-Expected Threat specifically designed to test the adequacy of our

forces in the unlikely event that the Soviets move significantly beyond our highest expectations.

1. Capability against the "highest expected threat" in the NIE

Our calculations indicate that the U.S. strategic forces programmed over the next few years, even against the highest Soviet threat projected in the NIE, would be able to destroy in a second strike more than two-fifths of the Soviet population and about three-quarters of their industrial capacity.

With regard to Communist China, a relatively small number of warheads detonated over the 50 largest cities would destroy half of their urban population and more than half of their industry. While these cities contain a relatively small proportion of China's total population, they do account for most of the key government officials and a large majority of the scientific, technical and skilled workers.

Thus, by any definition of the term, our "Assured Destruction" capability now and over the next several years should be fully adequate even against the highest expected threat projected in the most recent NIE. This capability, however, is of such crucial importance to our security, providing as it does the very sinew of our deterrent policy, that we must always be prepared to cope with unexpected developments in the Soviet strategic threat. Accordingly, we must continually reexamine the various ways in which the Soviets might seek to strengthen their strategic forces beyond what now seems probable, and take appropriate actions now to hedge against them.

2. Capability against "greater-than-expected threats"

There are a number of ways in which the Soviets might attempt to degrade our "Assured Destruction" capability in the 1970s. They could develop and install highly accurate MIRVs in their large ICBMs; greatly improve the accuracy of their missiles; construct an extensive, effective ABM system (including both area and terminal defenses); and deploy a large AWACS/interceptor force with a good look-down, shoot-down capability, together with an extensive, effective low altitude SAM system.

Any one of these actions alone would pose no particular threat to our "Assured Destruction" capability. But, if they were to do all of these things simultaneously, which would appear to be highly improbable on purely economic grounds, they might be able to degrade seriously the "Assured Destruction" capability of our strategic forces as presently planned. A Soviet ICBM force with a substantial hard target kill capability would be able to destroy a large number of our land-based missiles in hard silos. An extensive, effective Soviet ABM defense might then be able to intercept and destroy a large part of our residual missile warheads, including those carried by submarine-launched missiles. A large AWACS/interceptor force (with a good look-down, shoot-down capability) coupled with an extensive, effective low altitude SAM system, could destroy a very sizeable number of our bombers before they could reach their targets.

While the foregoing threat is both quantitatively and qualitatively far greater than that projected in the latest intelligence estimates, we

cannot foreclose the possibility that all of these developments may occur, and occur simultaneously. Accordingly, we must take timely action now to place ourselves in a position where we can move forward promptly to meet any or all of these threats should they actually materialize.

We have already taken a number of important actions which would permit us to cope with a large scale Soviet ABM system, for example, MINUTEMAN III, POSEIDON and the missile penetration aids program. To hedge against the possibility that the Soviets might install MIRVs in their large ICBMs and greatly improve the accuracy of their smaller ICBMs, we have initiated the development of a super-hard silo which could accommodate the MINUTEMAN III or a new, larger ICBM. To improve the survivability of our alert bombers from an SLBM attack, we are developing an early warning satellite and dispersing our bombers to secondary bases so that our alert bombers can be launched in the warning time provided by the satellite. To strengthen the penetration capabilities of our manned bombers against a possible vastly improved Soviet air defense system, we are producing a new Short-Range Attack Missile (SRAM) and are developing a new long range Subsonic Cruise Armed Decoy (SCAD) for both our B–52 and FB–111 bombers. And, of course, we are doing preliminary development work on a new sea-based missile system (ULMS), a new land-based missile system and a new manned bomber.

In addition to the actions already taken, we have a number of other available options. We can increase from 40 to 60 percent the proportion of bombers held on 15-minute ground alert; expand the presently planned SENTINEL system to include the defense of our MINUTEMAN sites; accelerate the deployment of MINUTEMAN III; load the POSEIDON with more warheads than presently planned (or add penetration aids); and construct new ballistic missile submarines. If the emerging threat requires, we can accelerate development of a new, larger land-based or sea-based missile, a new manned bomber (AMSA), or all three.

We need not take any of these steps until we have some evidence that the threat is actually beginning to emerge. Instead, we should carefully pace our actions on all of them in step with the development of the threat, keeping in mind the various development, production and deployment leadtimes involved. Maintaining a reasonable balance between each of the threats and each of the responses at all times is admittedly a very difficult task. But, taking our strategic posture as a whole, we have an ample margin of safety and we can afford to proceed with due deliberation on very costly new programs. Our technological base in this area is very deep and broad and there is no reason why we should not be able to respond, quickly and effectively, to any technological surprises on the part of the Soviet Union.

D. CAPABILITIES OF THE PROPOSED FORCES FOR DAMAGE LIMITATION

As was the case last year, the two major issues in this portion of the strategic forces program concern the deployment of an anti-ballistic missile defense system and the future size and composition of the anti-bomber defense forces.

1. Anti-ballistic missile defense

No single defense issue in recent years has engendered greater controversy than the question of deploying an ABM defense. Differences in viewpoint on the matter range across the entire spectrum—from no deployment at all to massive deployment against the Soviet threat. Involved in this issue are a variety of foreign policy, strategic, technical and economic questions—all of which are interrelated. High on the list of the foreign policy questions is the effect of a U.S. ABM deployment on the prospects for successful negotiations with the Soviet Union on the limitation of strategic forces, and, in the absence of negotiations, its impact on the U.S.-Soviet strategic competition. The strategic and technical questions are closely intertwined and have to do chiefly with the action-reaction phenomena inherent in the "Assured Destruction"—"Damage Limiting" problem, both for ourselves and the Soviet Union. It stands to reason that if both sides are indeed determined to maintain an "Assured Destruction" capability against each other, then each side will be forced to react to any attempt by the other significantly to increase its "Damaging Limiting" capability. The economic questions involve primarily the high cost of ABM defenses and the impact of these costs on other national programs, both military and civilian.

To a considerable extent, the deep division of opinion on the ABM deployment issue is a result of the widely differing emphasis given to these various questions. For example, those who are primarily concerned with the economic and social costs of the program tend to denigrate the technical feasibility of the system and take a more relaxed view of the threat. In contrast, those who are primarily concerned with the threat tend to stress the technical feasibility of the system and take a more relaxed view of the economic and social costs.

Certainly, there is ample room for differences of judgment on each of these questions, but these differences should not be allowed to obscure the basic facts about the system—its technical feasibility, its cost and its effectiveness in various roles and against various threats. After almost a decade and a half of research and development effort and the expenditure of more than $4 billion, Defense Department and contractor personnel most closely associated with the project are fully convinced that an ABM defense system is technically feasible in the sense that they believe we can develop and install a system which would be able to identify, track and destroy an incoming ballistic missile warhead under certain specified conditions. How effective such a system would be against an actual attack is quite another matter. That would depend upon the purpose the system is intended to serve.

We have defined, over the last few years, at least three major purposes for which we might want to deploy an ABM system:

1. Defense of our MINUTEMAN silos as a partial substitute for the further expansion of our offensive forces in the event the "Greater-Than-Expected" Soviet threat begins to emerge.
2. Protection of our population and cities against the kind of limited and unsophisticated ICBM attack the Chinese Communists might be able to launch in the 1970s (and an accidental or unauthorized firing from any source).

3. Protection of our population and cities against the kind of heavy, sophisticated missile attack the Soviets could launch in the 1970s.

The first major purpose has already been touched upon in connection with the discussion of our "Assured Destruction" capabilities against the "Greater-Than-Expected" Soviet threat. To the extent that a defense of MINUTEMAN can be distinguished from a defense of our cities, such an ABM deployment improves our "Assured Destruction" capability without threatening the Soviets' "Assured Destruction" capability. The other two major purposes, however, are directly related to our "Damage Limiting" capabilities; the second complicates, while the third would threaten the Soviets' "Assured Destruction" capability.

(*a*) *Defense Against the Chinese Communist Nuclear Threat*

As noted earlier, although the Chinese Communists have yet to launch their first ICBM, we still believe they are working on such a system and intend to deploy it. They have clearly demonstrated their ability to develop and produce nuclear warheads, and we have ample evidence that they have been testing medium range ballistic missiles. Even if their ballistic missile programs proceed at the relatively slow pace of the past year, they could have a modest force of ICBMs sometime after the mid-1970s.

In the light of Chinese Communist progress in nuclear weapons and missile delivery systems, and given the present hostility of the Chinese leadership toward the United States, we believe it is both prudent and feasible on our part to deploy the SENTINEL ABM system designed to protect against this threat.

Moreover, we believe that our possession of such a defense would provide greater assurances to the non-Communist nations of Asia that we intend to support them against attempts at nuclear blackmail by China, and thus help to convince them that the acquisition of nuclear weapons is not required for their security.

As shown in the following table, a ballistic missile defense system specifically designed against the Chinese threat (i.e., the SENTINEL system with its Perimeter Acquisition Radars (PARs), Missile Site Radars (MSRs), long range SPARTAN area defense missiles and SPRINT local defense missiles for the defense of the PARs) would offer a high degree of protection for our entire population.

U.S. FATALITIES FROM A CHINESE 1ST STRIKE, 1975–80

Number of Chinese ICBM's	x	2.5x	7.5x
U.S. fatalities (millions):			
Without Sentinel	7	11	23
With Sentinel	(5)	(5)	1

As indicated in Column three of the above table, without the SENTINEL system we might suffer as many as 23 million fatalities from an attack by a Chinese ICBM force. With the SENTINEL, we might be able to hold fatalities to 1 million or less.

There should be no question about the technical feasibility of the system against the kind of Chinese ICBM threat shown above. We already know enough about the radars and missiles to have confidence

[5] Fewer than 1,000,000 U.S. dead, with some probability of no deaths.

that they will perform as expected and that the system as a whole will have a very high level of effectiveness against such a threat.

Whether this degree of protection is worth the initial investment cost of the SENTINEL system ($5 to $6 billion) is a matter of judgment. If those who believe that the possibilities of a Chinese Communist ICBM attack upon the United States are extremely remote under any conceivable circumstances are correct, the cost of the SENTINEL system would be excessive. But, if those of us are correct who believe that an ABM defense against China will provide a measure of insurance that our strategic deterrent will, under *all* circumstances, remain credible to China and our allies, the cost would be commensurate with the benefits received.

If and when the Chinese ICBM force continues to grow, quantitatively and qualitatively, beyond the levels shown in the foregoing table, improvements can be made in the basic SENTINEL system to maintain its effectiveness. We believe that for relatively modest additional outlays the system can be improved so as to limit the Chinese damage potential to low levels into the mid-1980s.

The SENTINEL system would also have a number of other advantages. It would serve as a foundation to which we could add a defense for our MINUTEMAN and bomber forces if that later becomes desirable. Or, if technology progresses to a point where the deployment of an ABM defense against the Soviet Union becomes feasible, and otherwise desirable, it could serve as a base for a larger, more extensive system. Finally, it could protect our population against the improbable, but possible, accidental launch of a few ICBMs by any one of the nuclear powers.

(*b*) *Deployment of ABM for Defense of Our Cities Against Soviet Attack*

While we are convinced that an effective ABM defense against the kind of threat the Chinese Communists might be able to mount in the 1970s and early 1980s is both technically and economically feasible, we are equally convinced that such a defense against the Soviet threat is not presently attainable. In contrast to Mainland China, the Soviet Union has the technical and economic resources needed to offset any strategically significant "Damage Limiting" advantages we might gain by the deployment of an extensive ABM defense.

Accordingly, if we believe that the Soviets are determined to deter us by maintaining a capability to inflict great damage upon us, we must also assume they would act promptly to offset any extensive ABM defense we might choose to deploy by increasing the effectiveness of their strategic offensive forces. They could do so by installing MIRVs and penetration aids in their currently projected missile forces, deploying a new, larger payload mobile ICBMs, deploying more SLBMs, etc. In that event, we would still find ourselves in a position where a Soviet attack could inflict unacceptable damage on our population and cities, even after we have spent many billions of dollars for ABM defense.

Conversely, should the Soviets seek to limit damage to themselves by deploying a large ABM defense, we would be forced to increase the effectiveness of our strategic offensive forces, as, in fact, we have al-

ready done to a considerable extent in anticipation of just that eventuality.

Thus, the deployment of an extensive ABM defense by either side will, in all likelihood, simply fuel the strategic armaments race, with great additional costs but no commensurate benefits to either side. It was primarily for this reason that President Johnson two years ago proposed to the Soviet Union the opening of talks leading to an agreement on the limitation of ABM deployments, specifically, and strategic forces, generally. In July of last year, we and the Soviets confirmed our agreement to hold talks on limiting offensive and defensive missiles at an early date. Notwithstanding the delay made necessary by the Soviet invasion of Czechoslovakia, that is still our objective.

Meanwhile, we propose to press forward energetically with the SENTINEL program and the development of more advanced ABM technology. Until a workable agreement with the Soviet Union on these matters is achieved, we must keep open the option of deploying an ABM defense against the Soviet missile threat should such a defense prove to be both feasible and desirable at some future time.

2. Anti-bomber defense

A year ago the Defense Department presented to the Congress a new plan for the modernization of our air defense forces. This plan was the product of a very comprehensive analysis of the air defense problem—the purposes an air defense system might serve in the 1970s, the possible future threats, the status of our technology, and the effectiveness and cost of the major alternatives available to us.

Briefly, the analysis delineated six possible purposes:

(*a*) Peacetime identification.
(*b*) Limiting damage to our cities from a Soviet manned bomber attack.
(*c*) Preventing damage from an air attack by other countries, e.g., Cuba.
(*d*) Precluding a manned bomber attack on our withheld strategic missile forces.
(*e*) Discouraging the Soviet Union from developing and introducing new bomber threats which would be costly to neutralize.
(*f*) Providing a complete mobile "air defense package".

Although the Soviet heavy bomber force is expected to continue its gradual decline and medium bombers are not expected to play an important role in an attack on the continental United States, a number of greater-than-expected threats were also taken into account. These included the possibility that the Soviets might use their medium bombers in one-way attacks against the continental United States, the deployment of a new, intercontinental supersonic bomber and the introduction of a new, long range air-to-surface missile.

Three alternative "modernized" U.S. air defense forces, in addition to the current force, were evaluated against each of the foregoing purposes and threats: AWACS and F–12s; AWACS and F–106Xs; AWACS, F–106Xs and a few F–12s. In all but the "current force" alternatives, the entire SAGE–BUIC ground environment would be phased out, leaving only the FAA-operated radars for peacetime air

surveillance, plus the new Over-The-Horizon (OTH) "back-scatter" radars to provide an aircraft early warning capability.

The alternative with the lowest investment cost would obviously be the current force, but it would also be the one with the highest annual operating cost. Of the three modernization alternatives, the AWACS/F–106X force would have the lowest investment and annual operating cost, while the AWACS/all F–12 force would have the highest.

With regard to effectiveness, we have reached the following major conclusions:

(*a*) No air defense system can provide a significant "Damage Limiting" capability against the Soviet Union unless accompanied by a strong, effective ABM defense.

(*b*) The AWACS/F–12 force should be superior in discouraging the Soviet Union from deploying a new, long range ASM or a new intercontinental supersonic bomber, whereas the AWACS/F–106X force would be superior in discouraging them from deploying SRAMs, decoys and self-defense missiles on their bombers. The AWACS/F–106X force would also be superior against the present Soviet bomber threat.

(*c*) In any "modernized" air defense force, AWACS would be of the first order of importance, the fire-control/missile system, second, and the performance of the interceptor aircraft, third.

(*d*) Even if the Soviets were to phase out their remaining bomber force, the AWACS/F–106X would provide the most flexible force for use in theater air defense and special contingencies.

Since we have no evidence that the Soviets are developing either a new, long range ASM or a new intercontinental supersonic bomber, the AWACS/F–106X force seems to be the proper choice at this time.

. . . . . .

The remaining portions of this Strategic Forces section of the Statement deal with our specific proposals for the FY 1970–74 period.

E. STRATEGIC OFFENSIVE FORCES

1. Strategic bomber forces

The manned bomber forces which we propose to maintain through FY 1974 differ in three major respects from those presented to the Congress last year for the FY 1969–73 period. First, we now propose to cut back the FB–111 force from the 14 combat squadrons (210 UE aircraft) planned last year. Second, we plan to retain the B–58 force beyond the previously planned phase-out date in FY 1971. Third, we plan to retain a number of B–52C–Fs in the force instead of retiring all of them by the end of FY 1972 as previously planned. In addition, we propose to continue with competitive designs for the AMSA to provide a hedge against our possible bomber requirements in the late 1970s.

Our continuing study of the manned bomber requirement during the last year has reenforced our previous conclusion that the principal problem in this area of the program is penetration capability, more specifically, the ability of the force to survive in a much more advanced Soviet air defense environment in the mid-1970s. What is

needed to operate effectively in such an environment is not so much a new aircraft, but rather new penetration aids and weapons. One of these new weapons, the Short-Range Attack Missile (SRAM) is now well along in development and will be entering the forces in the early 1970s. Development will be initiated in FY 1970 on still another new weapon, the Subsonic Cruise Armed Decoy (SCAD). Work is also continuing on a variety of improved electronic warfare countermeasures equipment.

Because the FB–111 is considerably smaller than the B–52, it can not carry the kind of penetration payload required to cope successfully with a Soviet AWACS/interceptor force possessing a good look-down shoot-down capability. Furthermore, once we introduce SCAD and SRAM into the force, the FB–111 becomes relatively much less effective because it can carry far fewer of these weapons than the B–52. Finally, the cost of the FB–111, for a number of reasons, is running considerably higher than estimated at the time the decision was made to proceed with deployment.

In the light of these developments, we believe it would be advisable to reduce the FB–111 force levels. A total of 104 complete aircraft plus long leadtime components for eight more are already on order. (This program reflects the reductions made by the Congress in the FY 1969 Defense Budget.) We now plan to complete the funding of the eight advance procurement aircraft and buy a sufficient number of additional aircraft to complete the equipping of the authorized squadrons and provide for command support, training and advance attrition. Because of this change and the need to modify the wing box, the first FB–111s will enter the force in early FY 1970 instead of late FY 1969.

The B–58s and the current HOUND DOG air-launched "stand-off" missiles for the B–52s would be retained in the forces until the SCAD became available. The B–52C–Fs will be retained to provide a conventional bombing capability should that be needed sometime in the future. Finally, plans are being made to place ourselves in a position to increase promptly the number of bombers on sustained 15-minute ground alert, from the current 40 percent to 60 percent, if that should become necessary to protect our "Assured Destruction" capability. We also plan to provide "satellite basing" for our bomber force, as indicated earlier.

Although we are still uncertain whether a new intercontinental bomber will be needed in the 1970s, we do believe it would be prudent to keep the program moving in such a way as to reduce leadtime and protect an initial deployment date of FY 1977 or FY 1978. Accordingly, $77 million has been included in the FY 1970 Budget to continue the competitive design phase initiated with FY 1969 funds and to advance the development of the long leadtime avionics and propulsion systems. This new bomber (AMSA) would, of course, be designed to carry both the SRAM and the SCAD as well as nuclear and conventional gravity bombs.

2. Missile forces

In overall terms the missile forces we are proposing for the FY 1970–74 period are essentially the same as those presented to the Con-

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gress last year—1,000 MINUTEMAN, 496 POSEIDON and 160 POLARIS at the end of FY 1974, plus 54 TITAN IIs through FY 1973. The only significant change from last year concerns the POSEIDON program, the phasing of which has had to be altered to conform with Congressional action on our FY 1969 Budget.

(*a*) *MINUTEMAN*

The MINUTEMAN forces now proposed for the FY 1970–74 period involve only minor changes in the mix of MINUTEMAN I, II and III. The MINUTEMAN Is, which began to be replaced by MINUTEMAN IIs in FY 1967, will later be replaced by MINUTEMAN IIIs. The number of MINUTEMAN IIs, the final buy of which was made in FY 1968, will begin a gradual decline as the missiles used for follow-on operational readiness tests are also replaced with MINUTEMAN III. Flight testing of the MINUTEMAN III is progressing, and the first of these missiles will soon be entering the force.

We have also included funds in the FY 1970 Budget to continue the development and test of a dual-purpose, super-hard silo for the MINUTEMAN III or a new land-based ICBM.

(*b*) *TITAN II*

Although the TITAN II, with its large warhead, will still be useful against undefended large soft targets, its importance will decline greatly when large numbers of MINUTEMAN IIIs and POSEIDONs enter the forces. Accordingly, we believe that after FY 1973 we can safely permit the TITAN force to decline as the missiles on hand continue to be used for follow-on operational reliability testing without replacement.

(*c*) *POLARIS/POSEIDON*

The POSEIDON refit program presented to the Congress last year entailed the conversion of 31 SSBNs on a schedule tied to their regular overhaul cycle. Funds for the first two conversions were provided by the Congress in FY 1968. Six more conversions were requested in the FY 1969 Budget, but the Congress provided funds for only two more in the belief that the program should be slowed down until flight tests had clearly established that there were no development problems with POSEIDON and its MIRV concept.

This reduction has necessitated a major revision in the POSEIDON conversion schedule. We still believe the POSEIDON conversions should be performed at the same time the ships are in the yards for their normal overhauls. Any other arrangement would require the withdrawal of ships from operation in between their normal overhauls, or a major extension of the program considerably beyond the presently planned period. Both of these alternatives are undesirable, the first because it would reduce the number of ships on the line and the second because it might endanger our "Assured Destruction" capability in the event the Soviet Union does move forward with a large scale ABM deployment sometime in the early 1970s. Moreover, both alternatives would entail significantly increased costs.

Accordingly, we have developed a new schedule which retains the beginning and end dates but rephases the conversion program in the intervening years. Under the new schedule, two SSBNs are funded in FY 1968, two in FY 1969, six in FY 1970, seven in FY 1971, six in FY 1972, five in FY 1973 and three in FY 1974, this, permitting completion of the program in FY 1975 as previously planned. Funds are included in the FY 1970 Budget for six conversions plus advanced procurement for future conversions.

The POSEIDON program, as now modified, has undergone a very stringent review. We believe it is both completely feasible and urgently necessary. The flight test program to date has been highly successful and has reenforced our conviction that the desired performance objectives can be achieved. The capability which this program could provide in the mid-1970s would be absolutely vital should the Greater-Than-Expected Soviet strategic threat actually materialize by that time.

(d) New Strategic Missile Systems

Last year we informed the Congress that we had reached two main conclusions with regard to new strategic missile systems:

1. That any new land-based system should be deployed in super-hard silos and perhaps defended by some sort of ABM system.
2. That any new sea-based system should be designed around a longer range missile in order to avoid having to station the launch platform within the effective operating range of an improved Soviet ASW defense. Also, the submarine design should make it possible to increase time on-station substantially.

It is quite evident that if the Soviets achieve greater accuracy with their ICBMs, together with a MIRV capability, our land-based strategic missiles will become increasingly vulnerable to a first strike. Accordingly, the silos in which they are installed must be further hardened, defended with ABMs, or both. We are already developing super-hard silos; for which another $58 million is requested in the FY 1970 Budget. And, we are also keeping open the option to defend these silos with ABMs.

While we do not as yet see a need for a new land-based strategic missile, we believe the advanced technology required should be developed and $20 million has been included in the FY 1970 Budget for that purpose. Moreover, the super-hard silo now being developed will be designed so that they could accommodate a new, large ICBM as well as the MINUTEMAN III.

We are also requesting $20 million in the FY 1970 Budget to prepare for possible engineering development in FY 1971 of a new Undersea Long-range Missile System (ULMS). (About $5 million was provided in FY 1969 to initiate a study of such a system.)

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No significant changes have been made in the other strategic offensive forces included in this program.

F. STRATEGIC DEFENSIVE FORCES

1. Bomber defense

As noted earlier, much of the existing U.S. anti-bomber defense system can be phased out when the new AWACS, Over-The-Horizon radars and modified F–106X interceptors become available in the mid-1970's. The proposed AWACS force and the new Over-The-Horizon (back-scatter) radars would replace all but two of the SAGE Centers, five of the planned 15 BUIC III Control Centers, more than half of the search radars, all of the Gap Filler and DEW Line radars, and all of the existing surveillance and warning aircraft.

The proposed F–106X force would replace all of the older type interceptors (both active and reserve), except for one squadron of 28 F–102s in Hawaii.

With regard to surface-to-air missiles, the BOMARCs will be phased out of the force as previously planned. The number of on-site NIKE–HERCULES will decline during FY 1969–70, and then be continued at the end FY 1970 level throughout the remainder of the program period. The HAWK force will be maintained unchanged at the current level.

The over-land radar technology program is progressing satisfactorily and the tests to date have been encouraging. Contract definition has been initiated and engineering development of the AWACS system can be started in FY 1970. About $40 million is available for this purpose in FY 1969, and an additional $75 million is requested in the FY 1970 Budget. We intend to pursue this program with great prudence, holding our investment to the lowest practicable level until the prime contractor selected has successfully demonstrated by actual flight tests a useable radar detection and tracking system. If all goes well, the first of these aircraft should enter the force in the mid-1970s.

Although the Congress did not appropriate the $28 million requested in FY 1969 for the development of the modifications required for the F–106X, we believe we can still come close to achieving the original schedule, providing that at least $18.5 million is appropriated for FY 1970. The first of the modified F–106s would enter the force one year earlier than the AWACS.

The "back-scatter" Over-The-Horizon radars could become operational in the early 1970s. One million dollars is available for the development of this system in FY 1969 and $3 million more is requested for FY 1970.

2. Missile and space defense

Included under this heading are the anti-satellite and anti-ballistic missile defense systems, as well as attack warning.

(*a*) *Anti-Satellite Defense*

As described in previous years, we have a capability to intercept and destroy hostile satellites within certain ranges. The capability will be maintained throughout the program period.

Satellite tracking and identification are provided by the SPASUR and SPACETRACK systems. SPASUR is designed to give warning of new space objects passing through its field, and the SPACETRACK

system detects, tracks and computes the orbits of objects in space. Both systems are tied into the North American Air Defense Command.

(*b*) *Warning*

For early warning of ballistic missile attack we now depend upon: (1) the Ballistic Missile Early Warning System (BMEWS), consisting of three radar sites guarding the northern approaches, and (2) the "forward-scatter" Over-The- Horizon (OTH) radar system consisting of a number of transmitting and receiving stations at various locations. This OTH system can detect an ICBM attack regardless of which direction or on what trajectory the missiles might be launched. It thus provides a good early warning capability against Soviet missiles launched over the South as well as the North Pole, and on depressed trajectories or in a FOBS mode.

We are also requesting funds in the FY 1970 Budget for the satellite "early warning" system, mentioned earlier.

(*c*) *ABM Defense*

For active defense we are deploying the SENTINEL system. This system, as noted earlier, is specifically oriented to the potential Chinese Communist ICBM threat. It is being deployed in such a manner as to provide a thin defense over the entire Nation, including Hawaii and Alaska. The system approved for deployment is essentially the same as that presented to the Congress last year.

The program is moving forward on schedule, except for some small delays which will be made up before the planned full operational date. Such relatively minor modifications in the schedule must be expected in a system as widespread and complex as the SENTINEL. Delays in the acquisition of sites, development difficulties and production problems will inevitably require adjustments in the deployment schedule as we move forward with the program. But, we believe the final deployment completion date can be met.

The development of all five major components making up the SENTINEL system is proceeding on schedule. The PAR, which is used for long range surveillance, acquisition and tracking is a state-of-the-art, low frequency, phased array radar and no development prototype is deemed necessary. Since its performance can be simulated by a radar already on Kwajalein, where the full systems tests will be conducted, the first one will be built directly at an operational site. The radar is still in the design stage.

The first MSR, which is used both for tracking the target and the defending missile, has completed factory tests and is now being tested at Kwajalein.

The SPRINT missile which is designed to attack incoming warheads after the atmosphere has helped to separate out the accompanying decoys, chaff, etc., is in the test firing stage. By and large, this test program is proceeding satisfactorily. Indeed, a very high proportion of the last several flights were successful.

The SPARTAN missile, which will be used for area defense, is in the flight test stage at Kwajalein, and these tests, too, are proceeding satisfactorily.

The fifth major component, the data processing system, is being installed at the contractor's plant and is partially operational. A second system is being installed at Kwajalein for use in the full systems tests.

For the SENTINEL system, alone, we have included in the FY 1970 Budget a total of about $1,788 million; $335 million for Research and Development; $736 million for Procurement; $647 million for Construction; and $70 million for Operations. The FY 1969 Budget provides a total of $962 million—$311 million for Research and Development; $346 million for Procurement; $266 million for Construction; and $39 million for Operations. (Funds for ABM warhead development and production are included in the AEC budget.)

In addition to the Research and Development work directly associated with the SENTINEL system approved for deployment, we will continue our efforts to develop even more advanced ABM systems. These efforts are carried on primarily under the NIKE-X Advanced Development Program, for which $175 million is included in the FY 1970 Budget. (The $175 million figure includes about $40 million formerly carried in the ARPA Defender program which is concerned with the exploration of advanced technology for both missile offense and defense. For management convenience, those activities which are directly identifiable with anti-ballistic missile defense have been transferred from DEFENDER to NIKE-X Advanced Development.)

The FY 1970 Budget also includes $16 million for Air Force and Navy support of the Kwajalein test program, $83 million for the support of the Kwajalein test range (which is also used for reentry tests and experiments), and $72 million for ARPA's Strategic Technology programs (most for exploratory work on offensive systems).

We have also included $3 million to continue our study of a sea-based ABM intercept system (SABMIS). Such a system would provide depth to the CONUS defense.

G. CIVIL DEFENSE

The Civil Defense program proposed for FY 1970 contemplates no important change in basic objectives from those which were discussed last year. The FY 1970 request is being held at the lowest possible sustaining rate, pending the end of the Vietnam conflict.

The major objective of the Civil Defense program since 1961 has been the development of a Nation-wide shelter system to protect our population from radiological fallout in the event of a nuclear attack. Much of this shelter is inherent in existing buildings but needs to be identified, marked and stocked with survival supplies before it can be made fully effective. By the end of FY 1969 we will have identified 185 million spaces with a standard protection factor of 40 or more, of which 105 million will have been marked and over 95 million stocked with an average 8 days of austere supplies. Continuing survey and design assistance efforts should add about 70 million spaces to the national shelter inventory in the next five years.

Even with the larger shelter inventory projected for the mid-1970s, up to one-half the population would still lack standard (PF–40) fallout shelter. This situation can be altered only by developing additional means to increase the inventory *where needed*. We are, therefore, proposing a modest test of a fallout shelter support program

(for which we have included $2.5 million in the FY 1970 Budget) to determine the effectiveness of small incentive payments made to owners of new building projects for the inclusion of additional fallout protection in these buildings through the use of low cost design and construction techniques.

A financial summary of the Civil Defense program, for which a total of $75.3 million is requested for FY 1970, is provided in Table 2.

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Letter From Secretary of State Rusk to Senator Fulbright on the Nonproliferation Treaty, January 17, 1969 [1]

DEAR MR. CHAIRMAN: This is to provide you with information on the status of the Non-Proliferation Treaty [2] and to describe some relevant developments in the period between last summer's hearings and today.

SIGNATURES AND RATIFICATIONS

Eighty-four countries have now signed the treaty. Six of these have deposited their instruments of ratification, including one nuclear power (the United Kingdom) and two other NATO members (Canada and Denmark). Mexico and Ecuador have completed all action necessary to permit deposit of their instruments of ratification. A list of countries that have signed or deposited their instruments of ratification is attached.[3]

Of the seven countries noted by the AEC as among those having industrial economies probably capable of supporting the manufacture of a sizeable number of reasonably sophisticated nuclear weapons and delivery systems within five to ten years [4] two have signed: Sweden and Canada (which has also ratified). Of the other five, Australia, Italy and Japan all voted to commend the treaty at the UNGA last June; West Germany did not take part in that vote; and only India abstained and indicated that it did not intend to sign. Italy had planned to sign on August 26, and Japan and Germany were expected to do so later. However, after the invasion of Czechoslovakia these three countries decided to delay their signatures.

There are grounds for hoping that Italy will sign in the near future. A press spokesman for the Federal Republic of Germany stated that action by the U.S. Senate "could influence" German deliberations. The Japanese Foreign Ministry announced that factors prompting Japan's delay were the postponement of action on the treaty "in the United States, and the cautious attitude prevailing among potential nuclear nations, such as West Germany and Italy . . ." Sweden, which has

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[1] *Nonproliferation Treaty: Hearings Before the Committee on Foreign Relations, United States Senate, Ninety-first Congress, First Session, on Executive H, Ninetieth Congress, Second Session, Treaty on the Nonproliferation of Nuclear Weapons*, pt. 2, pp. 307–308.

[2] *Documents on Disarmament, 1968*, pp. 461–465.

[3] For signatories through June 27, 1969, see *ibid.*, p. 871.

[4] *Ibid.*, pp. 508–510.

already signed the treaty, has announced that it would not ratify until the United States, the Soviet Union and West Germany did so.

The United States made the first detailed proposals for this treaty, offered the first draft, and has been a principal proponent during five years of negotiations. Some of the other countries are understandably looking to what we do before subscribing to it themselves.

We believe that, if the momentum for the treaty can be regained, all or almost all of these seven countries will sign—except for India. I do not mean to suggest that there will not be further delays from some of these countries. But we have little chance of overcoming their concerns if we show doubts about the treaty ourselves.

EFFECT OF INVASION OF CZECHOSLOVAKIA

In the time that has elapsed since the invasion of Czechoslovakia, the Soviet Union has felt the impact of our condemnation of that action in a variety of ways. I believe United States interests would best be served now by the earliest possible Senate consent to ratification of the treaty.

The undertakings in the treaty of greatest importance to us are those of the non-nuclear-weapon countries. These countries agree (a) not to acquire nuclear weapons and (b) to accept international safeguards on the nuclear materials in their peaceful nuclear activities to see that these materials are not diverted to nuclear weapons. The basic promise of the Soviet Union, like that of the U.S., is not to transfer nuclear weapons or control over them to others. In our view, the Soviets have as much interest as we do in keeping their nuclear weapons in their own hands, and this will be reinforced by the treaty obligation of potential recipients not to acquire them.

Your Committee's Report stated that "while the Soviet actions [in Czechoslovakia] were unconscionable, the treaty itself is multilateral in character and of such significance as a potential barrier to the further spread of nuclear weapons that any delay in taking final committee action was inadvisable." [5] In the same spirit, if we still regard this treaty as in our interests, we should show that we do by moving promptly toward final Senate approval.

IAEA—EURATOM NEGOTIATIONS

As I indicated last summer,[6] there is good reason to be confident that negotiations between Euratom and IAEA would lead to a mutually satisfactory agreement meeting the requirements of Article III of the treaty. We understand, however, that Euratom will not commence such negotiations until all its non-nuclear-weapon members have signed the treaty. Our best current assessment of the positions of such members shows that U.S. Senate action on the treaty is a prerequisite to meeting this condition. If this is correct, it would obviously be fruitless for the Senate to await the results of negotiation between the IAEA and Euratom before taking action itself on the treaty.

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[5] *Ibid.*, pp. 656–657.
[6] *Nonproliferation Treaty: Hearings*, pt. 1, p. 14.

RESPONSE TO OTHER MINORITY VIEWS

I am enclosing a memorandum responding to such points in the Minority and Individual Views printed with your Committee's Report as are not addressed above.[7]

It is my earnest hope that, with the information hereby submitted to supplement that which led your Committee to report favorably without reservation on the treaty to the Ninetieth Congress, your Committee will be able to report equally favorably on it again early in the present Congress.

Respectfully yours,

DEAN RUSK.

Department of State Memorandum Relating to Senate Minority and Individual Views on the Nonproliferation Treaty, January 17, 1969 [1]

This memorandum addresses those issues, not already covered in the letter of this date from Secretary Rusk to the Chairman of the Senate Committee on Foreign Relations,[2] identified in the Minority and Individual Views appended to the Committee's Report on the Non-Proliferation Treaty (Executive Report No. 9, 90th Congress, Second Session).

ADEQUACY OF IAEA SAFEGUARDS

Concern was expressed in the Minority Views about "the reliability of the present international safeguards system of verifying that non-nuclear-weapon countries will not violate the treaty * * *." [3]

While the experience and existing capabilities of the International Atomic Energy Agency, which has been assigned the primary safeguards responsibility under the treaty, give it an incomparable head start toward being able to fulfill this responsibility, no one claims that it is yet in a position to do so. Its staffing, activities and financing have naturally been geared to the more modest tasks it has had to date. It will obviously have to gear itself up to meet the vastly greater responsibilities which the treaty contemplates for it. But to appreciate how far along we are toward the goal, it is only necessary to consider where we would have been if the alternative of creating a new international organization for this purpose had been chosen.

The IAEA was created as the result of United States initiative: President Eisenhower's Atoms for Peace Plan.[4] Its first Director General was Sterling Cole, formerly Chairman of the U.S. Joint Commit-

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[7] *Infra.*

[1] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 309–312. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

[2] *Supra.*

[3] *Documents on Disarmament, 1968*, p. 657.

[4] *Ibid., 1945–1959*, vol. I, pp. 393–400.

tee on Atomic Energy. The United States has provided experts, funds and fissionable material to the Agency for over ten years.

It is indicative of our confidence in the Agency that the Congress and the Executive Branch have worked together closely to transfer to the IAEA responsibility for safeguarding those peaceful nuclear activities that we have aided in other countries through our agreements for cooperation in the civil uses of atomic energy.

As AEC Chairman Seaborg testified during your Committee's hearings on July 12, the IAEA has been developing its safeguards principles and procedures for a number of years, and a cadre of competent, experienced inspectors has been established.[5] The Agency's safeguards system has been applied to peaceful nuclear activities in over 30 countries, including a privately owned power reactor (Yankee) and a privately owned chemical separation plant (Nuclear Fuel Services, Inc.) voluntarily submitted to IAEA safeguards in the United States.

In recent months, the IAEA has in fact started to gear up for the greater responsibilities it will have in connection with the treaty: It is planning for the requisite expansion, setting budgetary goals, and has begun stepped-up recruitment and preparations for negotiating the implementing agreements contemplated in the NPT. Even at this early stage, the Agency has found that, with respect to recruiting for positions as safeguards inspector, there is no dearth of qualified applicants for the jobs that are now available. We do not underestimate the difficulties of meeting the challenge posed for it by the treaty. But given the importance of this task and the IAEA's record of performance to date in the field of safeguards, we believe that the Agency will be able to meet that challenge.

MANDATORY SAFEGUARDS ON NUCLEAR SHIPMENTS

Another concern of the Minority was that the treaty could be injurious to our relations with our European friends. We are convinced that it will not. Our conviction appears to be shared by the large number of such friends that have already signed the treaty. These include, among others, three of the five non-nuclear-weapon states that are members of Euratom, and two-thirds of the members of NATO.

More specifically, the Minority expressed concern over the possible impact on such allies of the undertaking by nuclear suppliers in Article III not to provide nuclear materials or related equipment to any non-nuclear-weapon State for peaceful purposes unless the nuclear materials involved "shall be subject to the safeguards required by this Article." That article necessarily provided for safeguards of such a nature that all parties to the treaty could have confidence in their effectiveness. It thus called for the negotiation of agreements with the IAEA. We have made clear our understanding that such agreements, while avoiding duplication and making appropriate use of existing records and safeguards (such as those of Euratom), should enable IAEA to carry out its responsibility of providing assurance that no diversion to nuclear weapons or other nuclear explosive devices is taking place.

[5] *Ibid., 1968,* p. 518.

Article III was incorporated in the final drafts of the treaty only after intensive consultation with our Euratom allies and with the Commission of the European Communities. Their position is reflected in the statement that accompanied signature of the treaty by the three Euratom members who have already signed the treaty. They pointed out that they do not consider that there is any incompatibility between the goals pursued by the NPT and Euratom; that the safeguards provided for in Article III of the NPT will be the subject of agreements to be concluded with the IAEA: that to avoid the possibility that the application of the NPT might be incompatible with provisions of the Euratom treaty, safeguards must be defined in such a way that the rights and obligations of the Member states and the Community remain intact, in accordance with the opinion of the Commission issued pursuant to Article 103 of the Euratom treaty; that for that purpose, the Commission of the European Communities should enter into negotiations with the IAEA; and that it is their intention not to ratify the NPT before such negotiations have produced an agreement.

Our confidence in the success of such negotiations and our current assessment that U.S. Senate action on the treaty is a prerequisite to their beginning are discussed in the accompanying letter from Secretary Rusk.

COSTS OF SAFEGUARDS

Another concern of the Minority related to the varying estimates of the cost of administering safeguards around the world, and how much would be borne by the United States.

The best estimates available to the Executive Branch were supplied for the record of your Committee.[6] But it is to be noted that these estimates were made on a world-wide basis and thus include, in addition to the safeguards contemplated by the treaty itself, the cost of safeguards on all peaceful nuclear facilities in the nuclear-weapon states. They indicate costs amounting to approximately one percent of the cost of electricity produced in nuclear power reactors. But they are necessarily preliminary estimates, and do not reflect the reductions in unit costs that should result from improved safeguards techniques and the evolution of the safeguards system from a small scale to a full scale operation.

As to the financing of the safeguards called for by the treaty, the United States and most other members of the IAEA have taken the position that, since the beneficiary of safeguards is the world at large, safeguards should be financed out of the IAEA regular budget rather than by the party inspected. All costs related to safeguards activities of the IAEA are therefore included in the "Regular Budget" of the Agency, which is funded by assessed contributions of member states. The U.S. assessed contribution to this budget has averaged about 32 percent since the inception of the Agency.

These safeguards costs are in our view an acceptable price to pay to check nuclear proliferation and thus help reduce the risk of nuclear war.

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[6] *Nonproliferation Treaty: Hearings*, pt. 1, pp. 153–155, 281–285.

PEACEFUL NUCLEAR EXPLOSIONS

The Minority also expressed concern about the "nuclear largesse" which they believed they saw in Article V of the treaty dealing with peaceful nuclear explosions.

During negotiation of the treaty, some non-nuclear-weapon states expressed concern that they would suffer economically from being prohibited under the treaty from manufacturing their own nuclear explosive devices for peaceful purposes. Such a prohibition is necessary since the technology for manufacturing nuclear weapons is indistinguishable from the technology for manufacturing nuclear explosive devices for peaceful purposes. Therefore, the U.S. expressed its willingness to provide to non-nuclear-weapon parties to the treaty the same nuclear explosion services, and on the same basis, that we intend to make available to U.S. industry. By joining in the undertaking now contained in Article V, the U.S. would reassure non-nuclear-weapon parties to the treaty that they could obtain such services from a nuclear-weapon state, or through an appropriate international body, at a reasonable cost.

A few countries have argued that the nuclear-weapon states should supply peaceful nuclear explosion services free-of-charge to non-nuclear-weapon parties to the treaty in exchange for their adhering to it. The U.S. does not agree and the treaty does not so provide. We believe that each country must decide for itself whether it is in its national interest to adhere to the treaty. In order to make that decision less difficult, we announced our willingness to join with the other parties to the treaty in an undertaking to take appropriate measures to insure that the potential benefits of peaceful applications of nuclear explosives would be made available to non-nuclear-weapon parties to the treaty. You will note that the treaty language describes the benefits as "potential" in recognition of the fact that they are not yet technically and economically feasible.

In connection with this undertaking it has always been contemplated that, consistent with past U.S. policy in the field of international cooperation in the peaceful uses of nuclear energy, the U.S. would be willing to make nuclear explosion services available to other countries on what amounts to a cost reimbursable basis. We stated that the U.S. would attempt to keep the cost of the explosion service as low as possible and would not include a charge for the research and development on the explosive devices used. It was felt that it would be unfair for the United States to try to recoup from adherents to the treaty the costs which we have already incurred (by far the larger part of which has in fact been incurred for the development of nuclear weapons), of those which we would have incurred irrespective of the treaty, for research and development on nuclear explosive devices.

But the costs of furnishing the explosive service, including, among others, the full cost of all materials and the fabrication of the explosive devices, would be borne by the foreign users, not the U.S. taxpayer. Moreover, Article V does not contain a commitment to support or to conduct explosions of an experimental nature abroad. However, if it were deemed to be in our national interest to conduct such an experiment, we could do so (and even participate in the experiment

on a partial contribution basis, as we are doing domestically, if we were sufficiently interested), even though we would not be under a treaty obligation to do so. In sum, the American taxpayer will incur no greater expenses in the field of peaceful nuclear explosion services as a result of the treaty than he would without it.

Thus we are convinced that a reservation in connection with Article V is unnecessary as well as undesirable. If the United States, a principal proponent of the treaty, attaches a reservation, other countries are much more likely to attach their own reservations on this and other subjects. Some of these reservations might not be to our liking. Some might even prevent the treaty from coming into force for particular reserving countries.

NON-NUCLEAR CONFERENCE

According to the Minority Views, another reason for Senate delay was the fact that the Conference of Non-Nuclear-Weapon States had not completed its deliberations when your Committee's Report was issued. The Non-Nuclear Conference completed its final session on September 23. No clear consensus was reached on the need for further security assurances or guaranties of protection to non-nuclear parties. On the subject of the peaceful uses of atomic energy, many delegates made clear they would want and expect assistance with or without the Non-Proliferation Treaty.

These same observations apply to the recently completed session of the U.N. General Assembly.

The treaty already contains adequate assurances to non-nuclear-weapon states that their progress in the peaceful uses of nuclear energy would not be impaired by their relinquishment of the right to manufacture nuclear weapons or other nuclear explosive devices. The treaty would in fact enhance their opportunity to make continued progress in the field of peaceful uses of nuclear energy.

The record of the Non-Nuclear Conference, as well as that of the latest session of the U.N. General Assembly, indicates that if we are to get other countries to adhere to the Non-Proliferation Treaty, we must move ahead ourselves on the treaty.

Statement by the Soviet Foreign Ministry, January 20, 1969 [1]

Guided by its principled line in questions of the struggle for peace, the Soviet Union, together with other peace-loving states, is waging a consistent struggle to implement a broad program of disarmament, eliminate the threat of nuclear war and curb the forces of aggression. Further progress in solving the disarmament problem is an important factor promoting the elimination of the nuclear threat and a relaxation in the current international tension. Experience has shown that

[1] *Pravda*, Jan. 21, 1969, p. 4; *Current Digest of the Soviet Press*, Feb. 5, 1969, pp. 6–7.

the achievement of concrete results in this sphere exerts a beneficial effect on the world situation.

Therefore, it was not mere chance that during the extensive debate at the past U.N. General Assembly session representatives of a majority of states expressed concern over the state of affairs in the sphere of disarmament and spoke in favor of taking effective measures to reduce international tension and solving complicated questions of disarmament.

The achievement of an understanding on concrete questions of checking the arms race, including the problem of limiting the nuclear arms race, is, in the opinion of the Soviet government, a practicable although difficult task. That it is feasible is confirmed by the fact that recent years have seen the conclusion of such international agreements as the Moscow Treaty on Banning Nuclear Weapons Testing in the Atmosphere, in Outer Space and Under Water,[2] the Treaty on Principles Governing the Activity of States in Outer Space,[3] which prohibits orbiting nuclear weapons around the earth and placing weapons of mass destruction in outer space or on celestial bodies, and, finally, the Treaty on the Nonproliferation of Nuclear Weapons,[4] which is open for signing and has been signed by more than 80 states. This alone serves as evidence that there is broad understanding in the world both of the dangerous consequences of continuing the arms race and of the necessity to take effective measures for halting this race and ultimately achieving universal and complete disarmament.

The Treaty on Nonproliferation of Nuclear Weapons is of great importance in strengthening peace and international security; its entry into force will create favorable prerequisites for the further struggle to halt the arms race and to take effective measures for banning and destroying nuclear weapons.

The completion of the draft and the signing of this important international agreement by a majority of U.N. members had a great impact on the discussion of disarmament questions at the recently concluded session of the U.N. General Assembly. It was resolutely stressed that efforts should now be made to see that the Treaty on Nonproliferation of Nuclear Weapons goes into effect as soon as possible and that it is precisely and consistently enforced. The Soviet Union fully shares this viewpoint and believes that no one can be permitted to undermine the great success of the forces of peace that found expression in the conclusion of the treaty, which is aimed at preventing the further proliferation of the most deadly of weapons.

At the same time a justifiable question arises: What new steps can be taken on the path to limiting the arms race and achieving disarmament?

The Soviet government answered this question in the Memorandum on Several Urgent Measures for Cessation of the Arms Race and for Disarmament[5] and submitted this memorandum for consideration by the 23rd session of the U.N. General Assembly as an important and urgent question.

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[2] *Documents on Disarmament, 1963*, pp. 291–293.
[3] *Ibid., 1967*, pp. 38–43.
[4] *Ibid., 1968*, pp. 863–865.
[5] *Ibid.*, pp. 866–870.

It can be noted with satisfaction that the Soviet government memorandum was the focal point in the Assembly's discussion of the question of further steps in the field of limiting the arms race and achieving disarmament. Many states pointed out that the concrete proposals made in the Soviet memorandum involve the key questions of disarmament and provide a broad program of action to ensure international peace and security.

The memorandum raises as a paramount task the question of banning the use of nuclear weapons. Such a step would act as a serious deterrent to those who would like to use these weapons and would be conducive to a healthier international climate. In this connection it is relevant to mention that back in 1961 the U.N. General Assembly, on the initiative of a number of Asian and African states, condemned the use of nuclear weapons.[6] It would now be entirely logical to incorporate the provisions of the declaration adopted at the time into an international convention on banning the use of nuclear weapons.

In order to eliminate the danger of nuclear war, it is necessary to solve a complex set of problems involved in the curbing of nuclear missiles. The Soviet government has proposed that all the nuclear powers begin negotiations at once on halting the production of nuclear weapons, reducing nuclear stockpiles and subsequently banning and eliminating nuclear weapons completely. The Soviet government has also proposed that agreement be reached on mutual limitation and subsequent curtailment of strategic systems for the delivery of nuclear weapons.

This document proposes other measures in the interests of all peace-loving peoples. World tensions would be substantially reduced if effect were given to such proposals set forth in the memorandum as the prohibition of underground nuclear tests, under the control of national detection facilities; the prohibition of nuclear bomber flights beyond the national boundaries and the restriction of cruising zones for missile-carrying submarines; the prohibition of chemical and bacteriological weapons; the dismantling of foreign military bases on other countries' territory; the establishment of nuclear-free zones in various areas of the world; and the establishment of a regimen ensuring the use of the sea bed and ocean floor exclusively for peaceful purposes.

Implementation of the Soviet Union's concrete and realistic proposals would substantially contribute to solving the problem of halting the arms race.

The favorable appraisal and support that many delegations at the U.N. General Assembly gave to the Soviet proposals made in the memorandum indicate not only that it is urgently necessary to take such measures, but also that it is now possible to get down to the practical work of putting them into effect. A resolution adopted by the General Assembly spoke precisely of this; the resolution referred to the Soviet government's Memorandum on Several Urgent Measures for Cessation of the Arms Race and for Disarmament and recommended that the 18-Nation Disarmament Committee continue its efforts in examining such measures.[7]

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[6] *Ibid.*, *1961*, pp. 646-648.
[7] *Ibid.*, *1965*, pp. 795-796.

The discussion of disarmament problems at the 23rd General Assembly session ended with the adoption of a number of other decisions on questions raised in the Soviet government's memorandum, decisions that could play a positive role in further disarmament talks.

For example, the General Assembly approved a resolution calling for strict observance by all states of the principles and aims of the 1925 Geneva protocol banning the use of chemical and bacteriological weapons and inviting all states to subscribe to this protocol. In connection with the discussion of this question the Assembly decided that a group of competent experts should prepare a special report on the consequences of the use of chemical and bacteriological weapons.[8]

The Assembly also adopted a resolution on the urgent need to stop nuclear and thermonuclear tests; among other things, this resolution calls on all states that have not yet signed the Moscow Treaty banning nuclear weapons tests in three environments to subscribe to this treaty without delay and expresses the wish that the 18-Nation Disarmament Committee proceed to draft an international treaty banning underground nuclear tests.[9]

The General Assembly welcomed the agreement reached by the U.S.S.R. and U.S. governments in 1968 to commence talks on reciprocal limitation and subsequent reduction of strategic means of delivery of nuclear weapons, including defense systems.[10] For its part, the Soviet government deems it necessary to reiterate its readiness to begin a serious exchange of views on this important issue. In so doing, we proceed from the premise that the steps taken to curb the strategic arms race would be consonant with the interests of strengthening international peace and security. This would also create more favorable conditions for solving other important questions in the field of disarmament.

The adoption by the General Assembly of a number of resolutions aimed at facilitating the solution of specific disarmament questions is the result of stubborn efforts by many peace-loving states, including the Soviet Union and other socialist countries, which demonstrated an understanding of the importance of the constructive new steps to solve urgent problems of disarmament.

However, one cannot fail to see that there is a group of countries that under various pretexts seeks to delay the entry into force of the treaty on nonproliferation of nuclear weapons. In particular, such attempts were made at the U.N. General Assembly session. Taking advantage of the discussion of the results of the non-nuclear nations' conference held in Geneva last September,[11] some countries' delegates tried, for instance, to put through recommendations that could have created definite difficulties for consistent enforcement of the nonproliferation treaty and successful solution of disarmament problems. Such activities cannot, of course, benefit the cause of the struggle for disarmament.

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[8] The U.N. resolution appears *ibid.*, pp. 705-706. For the Geneva protocol, see *post*, pp. 703-705.

[9] *Documents on Disarmament, 1968*, pp. 706-707.

[10] See *ibid.*, pp. 603-605.

[11] *Ibid.*, pp. 659-667.

And what can be said of the persistent efforts made by a number of NATO members—first and foremost the U.S.A., Britain and the F. R.G.—to intensify that military bloc's activities? There can be no two opinions that the intensification of military preparations, the subversive activities against socialist countries, the expansion of existing hotbeds of international tension and the inflammation of the cold-war atmosphere run counter to the interests of peace and undoubtedly raise certain new obstacles in the quest for concerted decisions in the field of disarmament. The solution of disarmament problems is proceeding slowly because the aggressive forces rely in their policy not on disarmament but on the arms race, on the maintenance of international tension. They would like to counterpose to the atmosphere of cooperation among states with different political systems—to collective security—a policy of aggression and provocations and they would like to deepen the division of Europe. But European and international security can be safeguarded neither through the arms race nor through intensification of military preparations, but on the basis of establishing peaceful cooperation, attaining a genuine relaxation of international tensions and settling international problems by peaceful means at the negotiating table.

To the program of enlarged military preparations on the part of some NATO states, the Soviet Union and other socialist countries counterpose a program of concrete measures in the disarmament sphere, a program of strengthening European security and expanding international cooperation among all states regardless of differences in their social systems. At the same time, the Soviet Union and other socialist countries, in view of the NATO bloc's aggressive policies and military preparations, must see to further strengthening the security of the countries of the socialist commonwealth and lend assistance and support to states waging a struggle for their independence and against the forces of aggression and war.

Solution of the problems of disarmament is beset by considerable difficulties and requires strenuous efforts by all states. But experience shows that results can be achieved in this sphere.

As is known, the members of the 18-Nation Disarmament Committee have agreed to resume work in March, 1969. The Soviet government hopes that at the session agreement will be reached on new steps leading to limitation of the arms race and to disarmament. For its part, it will continue to do everything in its power to realize this noble aim.

News Conference Remarks by President Nixon [Extracts], January 27, 1969 [1]

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Q. Mr. President, on foreign policy, nuclear policy, particularly, would you give us your position on the Nonproliferation Treaty [2] and on the starting of missile talks with the Soviet Union?

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[1] *Weekly Compilation of Presidential Documents*, Feb. 3, 1969, pp. 178–179.
[2] *Documents on Disarmament, 1968*, pp. 863–865.

THE PRESIDENT. I favor the Nonproliferation Treaty. The only question is the timing of the ratification of that treaty. That matter will be considered by the National Security Council, by my direction, during a meeting this week. I will also have a discussion with the leaders of both sides in the Senate and in the House on the treaty within this week and in the early part of next week. I will make a decision then as to whether this is the proper time to ask the Senate to move forward and ratify the treaty. I expect ratification of the treaty and will urge its ratification at an appropriate time, and, I would hope, an early time.

As far as the second part of your question, with regard to strategic arms talks, I favor strategic arms talks. Again, it is a question of not only when, but the context of those talks. The context of those talks is vitally important because we are here between two major, shall we say, guidelines.

On the one side, there is the proposition which is advanced by some that we should go forward with talks on the reduction of strategic forces on both sides—we should go forward with such talks, clearly apart from any progress on political settlement; and on the other side the suggestion is made that until we make progress on political settlements, it would not be wise to go forward on any reduction of our strategic arms, even by agreement with the other side.

It is my belief that what we must do is to steer a course between those two extremes. It would be a mistake, for example, for us to fail to recognize that simply reducing arms through mutual agreement—failing to recognize that that reduction will not, in itself, assure peace. The war which occurred in the Mideast in 1967 was a clear indication of that.

What I want to do is see to it that we have strategic arms talks in a way and at a time that will promote, if possible, progress on outstanding political problems at the same time—for example, on the problem of the Mideast and on other outstanding problems in which the United States and the Soviet Union, acting together, can serve the cause of peace.

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Q. Mr. President, back to nuclear weapons. Both you and Secretary Laird have stressed, quite hard, the need for superiority over the Soviet Union. But what is the real meaning of that in view of the fact that both sides have more than enough already to destroy each other, and how do you distinguish between the validity of that stance and the argument of Dr. Kissinger for what he calls "sufficiency"?

THE PRESIDENT. Here, again, I think the semantics may offer an inappropriate approach to the problem. I would say, with regard to Dr. Kissinger's suggestion of sufficiency, that that would meet, certainly, my guideline, and I think Secretary Laird's guideline, with regard to superiority.

Let me put it this way: When we talk about parity, I think we should recognize that wars occur, usually, when each side believes it has a chance to win. Therefore, parity does not necessarily assure that a war may not occur.

By the same token, when we talk about superiority, that may have a detrimental effect on the other side in putting it in an inferior position and, therefore, giving great impetus to its own arms race.

Our objective in this administration, and this is a matter that we are going to discuss at the Pentagon this afternoon, and that will be the subject of a major discussion in the National Security Council within the month—our objective is to be sure that the United States has sufficient military power to defend our interests and to maintain the commitments which this administration determines are in the interest of the United States around the world.

I think "sufficiency" is a better term, actually, than either "superiority" or "parity."

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Message From President Nixon to the Senate on the Nonproliferation Treaty, February 5, 1969 [1]

After receiving the advice of the National Security Council, I have decided that it will serve the national interest to proceed with the ratification of the Treaty on Non-Proliferation of Nuclear Weapons.[2] Accordingly, I request that the Senate act promptly to consider the Treaty and give its advice and consent to ratification.

I have always supported the goal of halting the spread of nuclear weapons. I opposed ratification of the Treaty last fall in the immediate aftermath of the Soviet invasion of Czechoslovakia.[3] My request at this time in no sense alters my condemnation of that Soviet action.

I believe that ratification of the Treaty at this time would advance this Administration's policy of negotiation rather than confrontation with the USSR.

I believe that the Treaty can be an important step in our endeavor to curb the spread of nuclear weapons and that it advances the purposes of our Atoms for Peace program which I have supported since its inception during President Eisenhower's Administration.[4]

In submitting this request I wish to endorse the commitment made by the previous Administration that the United States will, when safeguards are applied under the Treaty, permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, exclusive of those activities with direct national security significance.[5]

I also reiterate our willingness to join with all Treaty parties to take appropriate measures to insure that potential benefits from peaceful applications of nuclear explosions will be made available to non-nuclear-weapon parties to the Treaty.

Consonant with my purpose to "strengthen the structure of peace," therefore, I urge the Senate's prompt consideration and positive action on this Treaty.

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[1] *Weekly Compilation of Presidential Documents*, Feb. 10, 1969, p. 210.
[2] *Documents on Disarmament, 1968*, pp. 810–815.
[3] See *ibid.*, p. 655.
[4] *Ibid., 1954–1958*, vol. I, pp. 398–408.
[5] *Ibid., 1967*, pp. 910–915.

News Conference Remarks by President Nixon [Extracts], February 6, 1969 [1]

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Q. Mr. President, the Pentagon announced this morning that Secretary Laird had ordered a temporary halt in the construction of the Sentinel system, pending a high level review. Does that represent a change in policy on our part? Does it indicate that maybe we are getting somewhere with the Russians toward an agreement whereby neither one of us would have to build it?

THE PRESIDENT. Well, Mr. Kaplow, answering the second part of your question first, there has been no progress with regard to the arms control talks with the Russians. I have made it clear in the appointment of Mr. Smith to that position that we are going to put emphasis on those talks, but I do believe we should go forward on settling some of the political differences at the same time.

As far as the decision on the Sentinel is concerned, Secretary Laird and his colleagues at the Defense Department will make decisions based on the security of the United States, and he will announce those decisions and justify them at this point.

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Q. Mr. President, with regard to the ABM system, you know this was planned originally to protect us against the threat of a nuclear attack by Red China early in the 1970's. Does your information indicate that there is any lessening of this threat, or is it greater, or just where do we stand on that?

THE PRESIDENT. First, I do not buy the assumption that the ABM system, the thin Sentinel system, as it has been described, was simply for the purpose of protecting ourselves against attack from Communist China.

This system, as are the systems that the Soviet Union has already deployed, adds to our overall defense capability. I would further say that, as far as the threat is concerned, we do not see any change in that threat, and we are examining, therefore, all of our defense systems and all of our defense postures to see how we can best meet them consistent with our other responsibilities.

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Q. Mr. President, you have now asked the Senate to ratify the Nonproliferation Treaty.[2] On your trip to Europe, do you have any hopes of trying to persuade particularly West Germany and France to move a little closer toward signing that treaty?

THE PRESIDENT. My view about asking other governments to follow our lead is this: They know what we think, and I am sure that that matter will come up for discussion.

I will make it clear that I believe that ratification of the treaty by all governments, nuclear and nonnuclear, is in the interest of peace and in the interest of reducing the possibility of nuclear proliferation.

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[1] *Weekly Compilation of Presidential Documents*, Feb. 10, 1969, pp. 227–233.
[2] See 60/76.

On the other hand, I do not believe that we gain our objectives through heavyhanded activities publicly, particularly in attempting to get others to follow our lead. Each of these governments is a sovereign government. Each has its own political problems. I think in the end, most of our friends in Western Europe will follow our lead. I will attempt to persuade, but I will not, certainly, attempt to use any blackmail or arm-twisting.

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Q. On the Nonproliferation Treaty again, last fall during the campaign, Mr. President, you opposed ratification because of the Soviet invasion of Czechoslovakia.[3] Can you tell me, sir, how you feel that situation has changed since then?

THE PRESIDENT. It has changed in the sense that the number of Soviet forces in Czechoslovakia has been substantially reduced.

It has changed also in the sense that the passage of time tends somewhat to reduce the pent-up feelings that were then present with regard to the Soviet Union's actions.

I want to make it very clear that in asking the Senate to ratify the treaty, I did not gloss over the fact that we still very strongly disapproved of what the Soviet Union had done in Czechoslovakia and what it still is doing. But on balance, I considered that this was the time to move forward on the treaty, and have done so.

Letter From AEC Chairman Seaborg to Senator Aiken on Article V of the Nonproliferation Treaty, February 15, 1969 [1]

In accordance with our telephone conversation of February 11, I am writing in response to the interest you have expressed in obtaining more explicit assurances from the Administration that Article V of the Non-Proliferation Treaty [2] will not impose a burden on the U.S. taxpayer by compelling us to subsidize peaceful nuclear explosion projects in foreign countries.

I can understand and endorse your desire for clear and unequivocal assurances regarding the character of the commitment undertaken by the U.S. in this Treaty. It is in this spirit that I am writing you this letter. As you know, the Atomic Energy Commission will be the agency for carrying out peaceful nuclear explosion projects, both domestic and foreign. Therefore, we are sensitive to the points you have raised and I also believe that we are in position to provide you with the assurances that you understandably desire on this matter, and we would welcome having these assurances made a matter of record.

I believe your concern is related to two points: first, the nature and terms of the services to be provided in accordance with Article V of the proposed Non-Proliferation Treaty; and second, the possibility that the Treaty could be misinterpreted as requiring the undertaking

[1] *Documents on Disarmament, 1968*, p. 626.
[2] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 395–398.
[3] *Documents on Disarmament, 1968*, pp. 408–418.

of peaceful nuclear explosion services of a research and development nature abroad.

First, the negotiating record makes it clear that Article V contemplates the performance of peaceful nuclear explosion services only for developed applications on a commercial basis. I should like to assure you that such services will be performed on the basis of full cost recovery, excluding only the charges for the general costs of research and development on nuclear explosive devices (including our cumulative costs to date) since these costs have been and will be incurred in the furtherance of our own technical programs, much of them in the past development of nuclear weapons.

All other costs of furnishing the explosion service, including among other things, the full cost of all materials, the fabrication of the explosive devices, the costs of emplacing and firing the device, and the appropriate overhead costs would be borne by the foreign user and not the Atomic Energy Commission. We would also be reimbursed if we undertook development work relating to a particular adaption of a nuclear device or our operations for the benefit of a specific user. This overall approach is consistent with the pricing policy which the Commission follows in connection with other materials and services which it provides domestically and abroad.

As you have suggested, clear-cut assurances that the explosion services provided pursuant to Article V of the Treaty would be compensated for as I have described above could well be considered in connection with the legislation authorizing the Commission to furnish these services.

In order for us to reach the point where we can provide the type of commercial service anticipated by Article V, the Commission intends to continue to carry out a vigorous experimental program. This leads us to the second point that I would like to discuss. Article V of the Treaty does not obligate the United States to undertake experimental peaceful nuclear explosions abroad. In most cases, this experimental program will be conducted within the United States. In a few cases, however, it may be in our programmatic interest, although not required by the Treaty, to carry out an experiment overseas in collaboration with another nation. The Australian project at Cape Kennedon, for which the feasibility of nuclear excavation techniques is now under study, could be a case in point and an example of this type of experiment. Any research and development project that we might wish to conduct would have to be considered and evaluated, on a case-by-case basis, in terms of its programmatic interest to the Commission and our financial contribution to any such project would be related to that interest. I can assure you that the Joint Committee on Atomic Energy will be consulted with regard to any such project; and, moreover, any such project involving the expenditure of Commission funds would have to be reviewed by the Joint Committee and Appropriations Committees as part of the authorization and appropriation process.

I hope these comments shall serve to clarify how we view this question and to provide the assurances which you have sought against the possibility that Article V of the Treaty will work to our disadvantage.

I realize that Article V was regarded by the negotiators as a central element in our ability to encourage the other prospective signers to

relinquish their options to manufacture nuclear explosive devices. I am confident that provision will be administered on the basis that I have described, and that the interest of the United States will be well served by the ratification of this important Treaty. Secretary Rogers has asked me to let you know that he concurs in this letter.

Statement by Secretary of State Rogers to the Senate Foreign Relations Committee: Nonproliferation Treaty, February 18, 1969 [1]

I am happy to appear before your committee to express the administration's support for the Treaty on the Nonproliferation of Nuclear Weapons.[2] The policy of the administration was set forth by President Nixon in his letter of February 5 to the Senate, and I quote:

> I believe that ratification of the Treaty at this time would advance this Administration's policy of negotiation rather than confrontation with the USSR. . . . Consonant with my purpose to 'strengthen the structure of peace,' therefore, I urge the Senate's prompt consideration and positive action on this Treaty.[3]

Of course, as the committee knows, the treaty, which has now been signed by 87 countries and ratified by nine, is the culmination of many years of effort in both Republican and Democratic administrations. Beginning with the Baruch plan [4] and the McMahon Act in 1946,[5] the United States has searched for ways to curb the spread of nuclear weapons. President Eisenhower's Atoms for Peace plan [6] and the resulting International Atomic Energy Agency helped to lay the foundations on which a realistic and verifiable nonproliferation treaty could be built. Now, after long, patient negotiations by William C. Foster, Adrian Fisher, and a very able team, during the administrations of both President Kennedy and President Johnson, we have before us a carefully drafted and carefully balanced international agreement which can contribute to this country's nonproliferation goal.

In his press conference of February 6, President Nixon stated that, in asking the Senate to approve the treaty, "I did not gloss over the fact that we still very strongly disapproved of what the Soviet Union had done in Czechoslovakia and what it still is doing. But on balance, I considered that this was the time to move forward on the treaty and have done so." [7]

But the invasion of Czechoslovakia was not the sole cause of concern to President Nixon in his consideration of the Nonproliferation Treaty. He also wanted an opportunity to address the concerns of our allies, with whom we expect to have further discussions next week during the deliberations of the Senate.

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[1] *Department of State Bulletin*, March 10, 1969, pp. 189–196.
[2] *Documents on Disarmament, 1968*, pp. 463–465.
[3] *Ibid.*, p. 35.
[4] *Documents on Disarmament, 1945–1959*, vol. I, pp. 7–16.
[5] 60 Stat. 755.
[6] *Documents on Disarmament, 1945–1959*, vol. I, pp. 395–406.
[7] *Ibid.*, p. 35.

In this connection, I want to reiterate that the Nonproliferation Treaty will not adversely affect our existing defense alliances.

As Secretary Rusk noted during the July hearings before this committee, we provided our NATO allies during the negotiation of the treaty with answers to questions they had raised concerning articles I and II. They are set forth in Executive H [90th Cong., 2d sess.].[8] I want to confirm at this time this administration's complete concurrence in those answers. We stand by them and will continue to do so.

With respect to the broader question of security assurances, I wish to make clear that the Nonproliferation Treaty does not create any new security commitment by the United States abroad and that it does not broaden or modify any existing security commitments abroad. My understanding of the effect and significance of U.N. Security Council Resolution 255 (1968) [9] and the related U.S. declaration [10] is in complete accord with that expressed in the committee's report on the treaty last September.[11]

With respect to the safeguards article of the treaty (article III), I would like to stress the fact that this article was included at the insistence of the United States, following intensive consultation with our allies. We believe it should make an important contribution to the U.S. objective of safeguarding against diversion to nuclear weapons of the vast quantities of plutonium becoming available throughout the world as a byproduct of the operation of peaceful nuclear reactors. Moreover, we believe that the three guiding principles enunciated by the United States (set forth at pages IX and X of Executive H)[12] constitute important and useful guidelines for the successful implementation of article III.

The fact that I have explicitly referred to certain prior United States statements this morning but not to others should, of course, not be taken as in any way altering or denying the positions reflected in such other statements. This administration has considered the many technical issues raised by this treaty, and we find ourselves in agreement with the positions previously taken by the United States. In this connection, I request that there be included in the record of these hearings the letter dated January 17, 1969,[13] and accompanying memorandum from my predecessor, Dean Rusk,[14] relating to the issues raised in the minority views of this committee.

In conclusion, Mr. Chairman, I would like to point out that the United States has for many years been in the forefront of the many countries which realize the awesome insecurity that could result from the spread of nuclear weapons. There is no effort of greater importance than the endeavor to prevent such an eventuality. Thus I sincerely hope that this committee will again report favorably on this treaty and that the Senate will give its advice and consent to ratification as soon as it reasonably can, in the light of the treaty's importance.

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[8] *Documents on Disarmament, 1968*, pp. 473–478.
[9] *Ibid.*, p. 688.
[10] *Ibid.*, pp. 689–690.
[11] *Ibid.*, pp. 603–608.
[12] *Ibid.*, pp. 474–475.
[13] *Ibid.*, pp. 24–26.
[14] *Ibid.*, pp. 26–27.

Statement by AEC Chairman Seaborg to the Senate Foreign Relations Committee, February 18, 1969[1]

Mr. Chairman and members of the committee, I am glad to appear today and I welcome the opportunity to reaffirm my support for the Treaty on the Nonproliferation of Nuclear Weapons.[2] When I appeared before this committee last July to testify in support of the treaty, I pointed out that it not only represents a notable landmark in our efforts to control the atom, but that it should also inaugurate a new and important era in mankind's effort to use the atom for peaceful purposes.[3]

PROVISIONS FOR INTERNATIONAL SAFEGUARDS

I will not repeat the detailed statement I made at that time, but I do wish to address a number of questions which have been raised. In my testimony, I noted the particular importance of the treaty's provisions for international safeguards in all peaceful nuclear activities of nonnuclear-weapon states party to the treaty. These provisions, embodied in article III of the treaty, represent a historic accomplishment in the effort to achieve the broadest possible application of international safeguards in the peaceful uses of atomic energy. That effort was initiated by the United States 15 years ago and has been pursued, with the strong support of the Congress, by each administration since that time.

In my discussion last July, I reviewed the development of the International Atomic Energy Agency and its safeguard function in particular, and I explained the basis for our confidence that the IAEA, by building upon its solid, though modest, foundation of experience in the field of safeguards, will be able to carry out the increased responsibilities assigned to it by the treaty.

In September of last year, I had the honor to head the U.S. delegation to the general conference of the IAEA. I can report that the IAEA has already begun to prepare itself for carrying out the important responsibilities it will have under the treaty.

SAFEGUARDS PROCEDURES BEING DEVELOPED BY IAEA

The Secretariat of the Agency is engaged in analysing its role and the steps which must be taken in the area of safeguards. It is studying requirements for personnel and funds in future years. The safeguards agreements called for by the treaty are being developed. Consultants from several countries, including the United States, are assisting the IAEA safeguards staff in the preparation of more detailed safeguards procedures to supplement the regulations already in effect. Recruiting and training of safeguards personnel to be added to the IAEA staff during this year were initiated some time ago. The results have been most encouraging and, in fact, the Director General has authorized recruiting for posts against 1970 staffing levels. Thus, whereas in 1967,

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[1] *Nonproliferation Treaty: Hearings*, pt. 3, pp. 353–356.
[2] *Documents on Disarmament, 1968*, pp. 401–403.
[3] *Ibid.*, pp. 110 ff.

the IAEA's safeguards staff included only 13 professionals, that number increased to 28 last year, and by the end of this year, the professional safeguards staff is expected to reach 44. As I noted last July, the IAEA's safeguards personnel requirements in the future will be many times its current needs. By the same token, however, the number of specially trained people in the nuclear industry throughout the world will also increase, thus providing a much larger pool for recruitment of safeguards personnel.

I believe the treaty will be an important stimulus in obtaining recognition by governments and individuals that active participation in the IAEA's safeguards activities represents a meaningful contribution to world peace.

In my previous visits to other countries and in conversations with representatives of many other countries in Vienna, it was clear that the enormous importance of the IAEA's safeguards function under the NPT was universally appreciated. I am confident that this widespread recognition will be manifested by the continued financial support by its members, of the IAEA's safeguard activities, even when the magnitude of those activities will have increased many fold.

At the general conference, the IAEA also took the first step in preparing itself to play a role in the implementation of article V of the treaty, under which the potential benefits of peaceful nuclear explosions are to be made available to non-nuclear-weapon states party to the treaty. In accordance with a resolution of the general conference,[4] the Director General is preparing a study of the role that might be played by the IAEA in that effort. In fact, a preliminary analysis by the Director General has already been distributed to the members of the Board of Governors for consideration at their meeting next week.

U.S. OBLIGATIONS UNDER ARTICLE V

I would like to discuss briefly the concern that has been expressed regarding the extent of the obligations the United States will be undertaking in connection with article V of the treaty. That concern is related to two points: first, the nature and terms of the services to be provided in accordance with article V and, second, the possibility that the treaty could be misinterpreted as requiring the undertaking of peaceful nuclear explosions of a research and development nature abroad.

First, the negotiating record makes it clear that article V contemplates the performance of peaceful nuclear explosion services on a commercial basis, only for developed applications. I should like to assure you that such services will be performed on the basis of full cost recovery. Generally, these would exclude the general costs of research and development on nuclear explosive devices (including our cumulative costs to date) since such costs have been and will be incurred in the furtherance of our own technical programs. Of course, most of our fundamental knowledge in this area has been acquired for nuclear-weapon development.

All costs of furnishing the explosion service, including, among other things, the full cost of all materials, the fabrication of the explosive devices, and the firing of them, would be borne by the foreign user and

[4] *Ibid.*, pp. 667–668.

not the Atomic Energy Commission. Appropriate overhead costs would also be included. We would also be reimbursed if we undertook work relating to a particular adaptation of a nuclear device or of our operations for the benefit of a specific user. This overall approach is consistent with the pricing policy which the Commission follows in connection with other materials and services that it provides domestically and abroad.

In order for us to reach the point where we can provide the type of commercial service anticipated by article V, the Commission intends to continue to carry out a vigorous research and development program, including appropriate experiments.

This leads us to the second point I would like to discuss. Article V of the treaty does not obligate the United States to undertake experimental peaceful nuclear explosions abroad. In most cases, this experimental program will be conducted within the United States. In a few cases, however, it may be in our programmatic interest, although not required by the treaty, to carry out an experiment overseas in collaboration with another nation. The Australian project at Cape Keraudren for which the feasibility of nuclear excavation techniques is now under study, could be such an experiment. Any research and development experiment that we might wish to conduct would have to be considered and evaluated, on a case-by-case basis, in terms of its programmatic interest to the Commission. Our financial contribution to any such experiment would be related to that interest. I can assure you that the Joint Committee on Atomic Energy will be consulted with regard to any such experiment. Moreover, before undertaking to conduct any such explosion involving the expenditure of Commission funds, the experiment would obviously have to be reviewed by the Joint Committee and Appropriations Committees as part of the authorization and appropriation process.

AEC Memorandum on Activities Included in U.S. Offer To Permit IAEA Safeguards, February 18, 1969 [1]

In connection with the hearings before the Committee on Foreign Relations during July, 1968, the AEC supplied a memorandum explaining the offer that when such safeguards are applied under the Treaty, the United States will permit the IAEA to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance.[2]

The memorandum noted that the date in the future when the offer is to take effect cannot be fixed at this time. It notes further that we will wish to consider the progress being made in gaining adherence to the Treaty and in negotiating and implementing the agreements between non-nuclear-weapon parties and the IAEA, in determining when the U.S. offer will take effect.

The memorandum also points out that the U.S. offer will be fulfilled by the negotiation of a formal agreement between the IAEA and

[1] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 332–333.
[2] The memorandum appears *ibid.*, pt. 1, pp. 110–112. For the nonproliferation treaty, see *Documents on Disarmament, 1968*, pp. 461–465.

the U.S. Government, which would identify the U.S. activities in which the IAEA could apply its safeguards. In implementing the agreement, the IAEA will determine in which of the listed activities its safeguards are to be applied. The memorandum states that it is doubtful that the IAEA will wish to apply its safeguards to all activities listed, nor do we believe that the purpose of the U.S. offer would require that it do so. The memorandum goes on to state our belief that, rather than apply its safeguards to all the U.S. activities on the list, the IAEA will elect to apply safeguards to a representative number of U.S. activities, at least initially.

The memorandum included an illustrative list of facilities, in six categories, which might meet the criteria of the U.S. offer. The number of facilities built, being built, or planned in each of the six categories are:

(*a*) Approximately 55 central-station electric power reactors operating or under construction, and some 30 additional reactors now planned;
(*b*) Two dual purpose plants now planned;
(*c*) Five experimental electric power reactors currently operable or under construction;
(*d*) Approximately 100 facilities in the category of test, research and university reactors currently operable or under construction;
(*e*) Approximately 20 critical assembly facilities currently operable;
(*f*) Approximately 10 fuel fabrication, scrap recovery, and chemical processing facilities currently handling fuel associated with the facilities noted above.

The facilities now in operation, being built or planned which might be included, subject to our review at the time the agreement will be negotiated with the IAEA, total about 200. As noted above, the IAEA may choose to apply safeguards only to a representative number of the activities which will be included in the list at that time. For example, the IAEA would probably choose to apply its safeguards only to a small number of activities listed in categories A through E above, but to most or all of the fuel fabrication and chemical processing facilities handling the fuel for the nuclear reactors selected.

It should be noted that before a definitive list of the activities or the facilities is included in the agreement to be negotiated with the IAEA, a detailed review will be conducted by the U.S. to assure that none have direct national security significance.

Statement by Secretary of Defense Laird to the Senate Foreign Relations Committee on the Nonproliferation Treaty, February 20, 1969 [1]

Mr. Chairman, and members of the committee, I am delighted to have this opportunity to appear before you this morning. It is true

[1] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 383–385.

that I have had an opportunity to sit on the other side of the table as a Member of the House of Representatives and as a critic of the executive branch, and as a very strong advocate of the role of Congress in dealing with the affairs of our government as a coequal branch of our government.

I find my role as Secretary of Defense somewhat of a change for me. But I am shifting from the role of a critic and a questioner to the responsibilities of Secretary of Defense as rapidly as I can, and making as effective a transition as possible.

I am happy to present the views of the Department of Defense today on the Treaty on the Nonproliferation of Nuclear Weapons.[2] I fully support the statements made by Secretary Rogers in his appearance before this distinguished committee on Tuesday last.[3] My statement will, therefore, be brief.

INTERDEPARTMENTAL COOPERATION ON TREATY NEGOTIATIONS

The Department of Defense worked closely with the Department of State, the Arms Control and Disarmament Agency, and others in developing U.S. positions on the important questions which arose in the course of formulating and negotiating this treaty.

The pros and cons of every major issue were examined throughout the Department and the advice of all participants was fully considered. The advice of the Joint Chiefs of Staff was most useful on all issues and was of great importance in our efforts to make sure that the provisions of the treaty would be entirely consistent with our mutual defense arrangements. General Wheeler is with me today, as you pointed out, Mr. Chairman, and will present the views of the Joint Chiefs of Staff.

MUTUAL SECURITY ARRANGEMENTS AND OBLIGATIONS

Throughout the development of the Nonproliferation Treaty the Department of Defense devoted particular attention to the problem of achieving a treaty which would effectively deter the spread of nuclear weapons without adversely affecting our mutual security arrangements and obligations. Our allies wished to make sure that the NPT would neither interfere with existing NATO arrangements nor prevent allied consultations on nuclear matters, particularly in NATO's Nuclear Planning Group. We were able to assure them that the treaty would do neither. Some of our allies were concerned also that this treaty might prohibit possible steps toward European unification in the defense field, particularly the establishment of a European nuclear force which would own and control its own nuclear weapons. We were able to assure them that the treaty would not prevent a European federated state from succeeding to the nuclear status of one of its components, such as France or the United Kingdom.

The assurances that we provided our allies on these points were made part of the public record during the last Senate hearings on the treaty in July of 1968.[4] The Soviet Union has not taken issue with

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[2] *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ante*, pp. 37–38.
[4] See *Documents on Disarmament, 1968*, pp. 477–478.

these assurances. Our European allies generally share our view that the NPT will contribute to worldwide security and stability.

I would like to reaffirm the view expressed by the former Deputy Secretary of Defense, Mr. Nitze, that the United States and all other signatory nations will mutually benefit from this treaty and that it will not provide any unique advantages for the Soviet Union.[5] This treaty will not affect our ability to meet our defense obligations or interfere with any existing nuclear arrangements we have with our allies. In my view, it will be a strong deterrent to the spread of nuclear weapons.

Therefore, despite disturbing international events such as the invasion of Czechoslovakia last year, I believe that every effort should be made to bring this treaty into force promptly. We should now move promptly to ratify it. Our action will encourage other nations to do the same. Accordingly, the Department of Defense urges that this committee recommend to the Senate that it give its early advice and consent to the ratification of the Nonproliferation Treaty by the United States.

Department of Defense Memorandum on the Status of the Nonproliferation Treaty in Time of War, February 20, 1969 [1]

Clarification has been requested of the status of the treaty in the event of war.

In answering this question, it is necessary to differentiate among the many types of situations that might be comprehended within the term "war".

At one extreme would be the condition of general war involving the nuclear powers and the use of nuclear weapons. With respect to this type of situation, Secretary Rusk referred to the questions and answers furnished to our NATO allies which stated that the treaty "does not deal with arrangements for deployment of nuclear weapons within allied territory as they do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling."[2] He said:

"I think sir, that this was simply a recognition of what today is almost an element of nature, and that is, in a condition of general war involving the nuclear powers, treaty structures of this kind that were formerly interposed between the parties would be terminated or suspended."[3]

At the other extreme would be a limited, local conflict, not involving a nuclear-weapon-state. In this case the treaty would remain in force.

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[5] See *Nonproliferation Treaty: Hearings*, pt. 1, pp. 55–56.

[1] *Ibid.*, pt. 2, pp. 424–425. The treaty may be found in *Documents on Disarmament, 1968*, pp. 461–465.

[2] *Ibid.*, pp. 477–478.

[3] *Nonproliferation Treaty: Hearings*, pt. 1, p .27.

The first preamble to the treaty considers "the destruction that would be visited upon all mankind by a nuclear war and the consequent need to make every effort to avert the danger of such a war" and the second preamble states the belief "that the proliferation of nuclear weapons would seriously enhance the danger of nuclear war." This central purpose of the treaty would be subverted by maintaining that the treaty was suspended in the event of such a war between non-nuclear-weapon parties. Accordingly, such parties would be bound by the treaty unless and until they exercised the right of withdrawal under Article IX.

It was this type of situation to which Secretary Rusk alluded in the following colloquy:

Senator Carlson. In other words, let's assume that a nation would decide it was necessary that it became involved in a war, could it, for instance, go to France if France were not a signatory and get not only weapons but warheads and materials to transmit them?

Secretary Rusk. Well, I think, sir, that there would be inhibitions in the treaty against the notion that any kind of a conflict or a dispute would automatically relieve that particular country or disputant from the obligations of the treaty. There have been a good many armed clashes since the end of World War II.

Senator Carlson. There will be some more, I am sure.

Secretary Rusk. I am sure there will be some more. It is not intended here that the mere fact there is an armed clash would operate to relieve a party of its obligations under the treaty. But such party might invoke the withdrawal article, give formal notice—excuse me, I just wanted to look at this—if "Extraordinary events related to the subject matter of this treaty have jeopardized the supreme interests of its country." Now, that withdrawal article is there, and each signatory to the treaty has access to it under the provisions of the treaty.

Senator Carlson. In other words, you use the term "supreme interests?"

Secretary Rusk. Yes; supreme interests.

Senator Carlson. It is your thought it would take more than just a provocation to result in a local conflict?

Secretary Rusk. That is correct, sir.

Senator Carlson. I was interested in that because I can see where it might be very easy to withdraw even though you were a signatory to this treaty, provided you decided that it was necessary to get into a conflict with another country. I wanted some clarification on that if I can get it.

Secretary Rusk. Senator, let me review the record and see whether I ought to make a small extension of my remarks on this point. But the great objective of this treaty is to make nuclear war less likely by preventing the spread of nuclear weapons to additional countries.

Again, looking back toward the dozens and dozens of armed engagements that have occurred since the end of World War II, some small scale, others large scale, we would not expect that each one of these engagements should be translated into a nuclear engagement by casual action on the part either of a nuclear power or nonnuclear powers.

Senator Carlson. I shall not press it further, but it is rather easy to get into a nuclear situation when you use nuclear warheads, is it not; they need not be very large?

Secretary Rusk. That is correct, sir.[4]

Thus, it is clear from Secretary Rusk's testimony that in answering questions as to the status of the treaty in time of war, the particular situation involved must be considered in the light of the intention of the parties and the purposes of the treaty. It follows that there was no inconsistency between the testimony of General Wheeler, who was addressing the first type of situation described above, and was referring to Secretary Rusk's prepared statement, and the testimony of Secretary Rusk, who discussed both situations.

Letter From the Department of Defense to Senator Javits on Article III of the Nonproliferation Treaty, February 20, 1969 [1]

At issue in your question, Senator, is whether a party to the Treaty could make arrangements to supply a non-party with nuclear materials if such materials would be subject to the safeguards called for by the Treaty. The Treaty would, indeed, permit such arrangements. Article III(2) is an undertaking by the parties not to provide source or special fissionable material or equipment especially designed for the processing, use or production of the latter to non-nuclear weapon states for peaceful purposes "*unless* the source or special fissionable material shall be subject to the safeguards required by this article." If the material were subject to such safeguards, whether or not the recipient was a party to the Treaty, this condition would be met.

There is no discrepancy between this answer and (1) Secretary Clifford's on page 50 of the printed record of the July 1968 hearings on the Treaty in response to a similar question from Senator Cooper; (2) the testimony of Secretary Rogers and Mr. Fisher at pages 362–3 and 372–3 of the hearings on February 18, 1969; and (3) the testimony of Secretary Laird at page 416.

With respect to the proposed agreement between EURATOM and the IAEA pursuant to Article III of the Treaty, there have been no new developments not covered in Secretary Rusk's communications to Chairman Fulbright, dated January 17, 1969,[2] except for the subsequent signature of the Treaty by Italy. Italy, like the three other EURATOM members that have signed the Treaty, has indicated that it does not intend to ratify the Treaty until agreement between IAEA and EURATOM has been reached.

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[4] *Ibid.*, pp. 27–28.

[1] *Ibid.*, pt. 2, p. 426. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

[2] *Ante*, pp. 21–27.

Letter From Senator Aiken to Secretary of State Rogers, February 24, 1969 [1]

DEAR MR. SECRETARY: The nuclear Non-Proliferation Treaty (NPT) [2] represents a significant move in United States foreign policy. Of particular importance are the scope and implications of the United States commitment related to the NPT made by President Johnson in December 1967 and endorsed by President Nixon earlier this month. This commitment states in part:

". . . when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States—excluding only those with direct national security significance." [3]

Russia has made no such pledge.

The Senate is now reviewing this Treaty and must consider the magnitude of the United States pledge. In this connection it seems to me that many details concerning the implementation of the United States commitment are left to future times. I know from some experience that it is dangerous to agree "in principle" and leave the details to future negotiations. To illustrate my concern, I asked Dr. Seaborg during the hearing if he would tell the Committee how many existing United States nuclear facilities will be placed under IAEA safeguards when the NPT goes into effect. Dr. Seaborg answered:

"Well, *this would have to be determined*. What we would do is *negotiate an agreement* with the IAEA that would specify the terms and conditions. I *couldn't state at this time*, but I would *hope* that it would be limited to a representative number . . ." [Emphasis added.]

I also asked Dr. Seaborg whether he expected rules and guidelines on this to be laid down. He said:

"I would think that this would be not until the Treaty *was in full effect* and inspections were taking place in other countries that were adhering to the Treaty, *then we would negotiate this agreement*." [Emphasis added.]

On the matter of who will inspect United States nuclear facilities, the following exchange took place:

Senator AIKEN. ". . . could citizens of Russia, or citizens of Soviet bloc nations inspect United States facilities?"

Dr. SEABORG. "They may not."

Secretary ROGERS. "They may not."

Dr. SEABORG. "They may not, *if* we ask they not be included on the inspection team." [Emphasis added.] [4]

It is my understanding that a Yugoslav national has already participated in an inspection of the Yankee atomic energy facility at Rowe,

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[1] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 500–501. Assistant Secretary of State Macomber replied on Mar. 5 (*post*, pp. 69–74).

[2] *Documents on Disarmament, 1968*, pp. 461–465.

[3] *Ibid., 1967*, pp. 614–615. For President Nixon's statement, see *ante*, p. 33.

[4] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 331–333.

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Massachusetts, and a Romanian national has been trained at a United States safeguards school at Argonne National Laboratory.

I understand that the United States can veto a particular inspector if our Government finds him objectionable. However, I would appreciate it if you would advise me of the specific number of vetoes the United States is allowed or if the vetoes are unlimited, what criteria has been established for such a veto.

I realize that every detail cannot be ironed out before the Senate approves the Treaty. However, we are undertaking a commitment to allow foreign nationals to inspect industrial facilities in the United States, a commitment that is *not* required of the United States under the NPT. As far as I know, we do not know the specific installations the foreign inspectors will visit, nor do we know exactly what they will inspect. We do not know how much they will encroach on the operational effectiveness of the plant to be inspected, nor do we know how United States industry will protect its trade secrets. It seems to me in making this unilateral gesture the Government has raised fundamental questions. I hope that they can be answered satisfactorily. In this connection, it would be appreciated if you would respond to the attached questions.

A related concern of mine is the matter of so-called Plowshare undertakings including both experimental and commercial activities. This matter was discussed at some length during the February 18, 1969 hearing, and Dr. Seaborg agreed to provide the Committee with a history of the Cape Keraudren project to include a breakdown of costs and the extent to which the United States or foreign private enterprise would participate and benefit in such experiments.[5] I expect that the Department of State and the Atomic Energy Commission will keep the Foreign Relations Committee and the Joint Committee on Atomic Energy informed prior to any decision to go ahead on the Cape Keraudren project or any other peaceful uses of atomic energy nuclear detonation outside the continental limits of the United States.

Letter From ACDA Director Smith to Senator Fulbright on Article III of the Nonproliferation Treaty, February 27, 1969 [1]

I understand that your Committee desires further clarification as to what constitutes "source or special fissionable material" under the Non-Proliferation Treaty,[2] and specifically whether either of those terms would apply to radioisotopes used for medical purposes.

As for the definition, I would like to confirm the response inserted in the record of the July, 1968 hearings at page 66. Currently no radioisotopes used for medical treatment or diagnosis would come within this definition. If a medical treatment application were found for a radioisotope that did come within this definition, the quantity involved

[5] *Ibid.*, pp. 329–330.
[1] *Nonproliferation Treaty: Hearings*, pt. 2, p. 426.
[2] *Documents on Disarmament, 1968*, pp. 461–465.

would almost undoubtedly be so small as to pose no risk from the point of view of the treaty, and would come within the IAEA *de minimis* rule found in the IAEA Safeguards System (1965), the pertinent portion of which is enclosed.

The foregoing conclusions have been verified by appropriate officials of the Atomic Energy Commission.

Memorandum From the Atomic Energy Commission to the Senate Committee on Armed Services: Relationship of Nonproliferation Treaty to Atomic Energy Act Provision Regarding Military Cooperation With Allies, February 28. 1969 [1]

The NPT *prohibits:*

(1) transferring complete nuclear weapons and other nuclear explosive devices to any other recipient (even transfer to nuclear weapons states or multi-nation groups is foreclosed);

(2) transferring control over such weapons and devices (again, the prohibition applies to the same extent); and

(3) assisting a non-nuclear weapon state to manufacture, or in any way acquire its own nuclear weapon or other explosive device capability.

Such actions by the U.S. are likewise not permitted by the Atomic Energy Act. The Act authorizes only certain military cooperative programs, with treaty allies, which can be grouped as follows:

1. Assisting a nuclear weapon state on design, development and fabrication of atomic weapons by providing technology, non-nuclear components of weapons, and unfabricated nuclear material. (Such a program is in effect with the U.K. under the 1958 Mutual Defense Uses Agreement for Cooperation.)[2] See Sections 91c.(1), 91c.(4) and 144c.(1) of the Act.[3]

2. Providing military nuclear reactors, including fuel and other nuclear materials, and classified technology therefor. (We have provided assistance in each of those aspects to the U.K. in the naval nuclear propulsion field under the above noted 1958 Agreement, but our commitments are now virtually fulfilled; we also have a dormant agreement with the French for supply of fuel materials for land-based prototype reactor for submarine propulsion.) See Sections 91c.(2), 91c.(3) and 144c.(2) of the Act.

3. Providing limited classified data for purposes of training of forces for the possible employment of weapons and for military plan-

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[1] *Military Implications of the Treaty on the Non-proliferation of Nuclear Weapons: Hearings Before the Committee on Armed Services, United States Senate, Ninety-first Congress, First Session*, p. 141. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

[2] 9 UST 1028.

[3] 72 Stat. 276.

ning for such possible employment. This is most relevant to the NATO Atomic Stockpile Program. (There are a number of such bilateral agreements for cooperation with NATO allies and an agreement with NATO itself.) In this area, the agreements also permit the transfer of parts of the delivery vehicle portion of nuclear weapon systems which reveal classified data (Restricted Data) about the weapon (e.g. a part to make the delivery vehicle compatible with the weapon it might carry). See Sections 91c.(1) and 144b. of the Act. Since this kind of cooperation can be given to allies which are not nuclear-weapon states, the Act *prohibits* providing any Restricted Data which would "contribute significantly" to the recipient's "atomic weapon design, development or fabrication capability".

The NPT does not preclude the U.S. from continuing or entering into any of the foregoing three categories of cooperation on the military applications of atomic energy. The NPT does, however, have the effect of identifying nuclear weapon states (i.e., those which have manufactured and exploded a nuclear weapon or other nuclear explosive device prior to January 1, 1967) and thus would preclude a state, which is not a nuclear-weapon state under the NPT, from qualifying, under the Atomic Energy Act, for assistance in the design, development and fabrication of atomic weapons (category 1 above).

ACDA Statement to the Senate Committee on Armed Services: Sanctions Under the Nonproliferation Treaty, February 28, 1969 [1]

The following is submitted in response to Senator Smith's question as to what sanctions the IAEA could impose on violators, in the event that the treaty is ratified and assuming that proper and meaningful safeguards agreements are concluded:

Under Article III, the non-nuclear-weapon states party to the NPT undertake to accept safeguards, as set forth in an agreement to be negotiated and concluded with the IAEA "in accordance with the Statute of the International Atomic Energy Agency."

Article XII of that Statute provides that, with respect to any arrangement where the Agency is requested by the parties concerned to apply safeguards, the Agency shall have the following rights and responsibilities [among others] to the extent relevant to the arrangement:

> The staff of inspectors shall also have the responsibility . . . of determining whether there is compliance with . . . conditions . . . prescribed in the agreement between the Agency and the State or States concerned. The inspectors shall report any non-compliance to the Director General who shall thereupon transmit the report to the Board of Governors. The Board shall call upon the recipient State or States to remedy forthwith any non-compliance which it finds to have occurred. The Board shall report the non-compliance to all members and to the

[1] *Military Implications of the Treaty on the Non-proliferation of Nuclear Weapons: Hearings*, pp. 136–137. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

Security Council and General Assembly of the United Nations. In the event of failure of the recipient State or States to take fully corrective action within a reasonable time, the Board may take one or both of the following measures: direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with Article XIX, suspend any non-complying member from the exercise of the privileges and rights of membership.[2]

Answers to Questions by Senator Thurmond to ACDA Director Smith on the Nonproliferation Treaty, February 28, 1969 [1]

1. Mr. Smith, I would like to raise some questions about the so-called nuclear explosion service that was pledged by your predecessor, Mr. Foster. Does this Administration support the pledge as made by Mr. Foster?

Answer. A possible nuclear explosion service was suggested in the statement of principles relating to nuclear explosion services made by Mr. Foster, with the authorization of the Atomic Energy Commission, the Department of Defense and the Department of State, at the Eighteen Nation Disarmament Conference on March 21, 1967. A copy is attached. (Attachment A.)[2]

As shown in Attachment B, the principles outlining the nature of such service were later incorporated in substance in Article V of the NPT.[3] The present Administration supports the Non-Proliferation Treaty, including Article V.

2. Does the proposal he made in March 1967 differ materially from the substance of Article V?

Answer. No. See above.

3. What does the treaty mean when it says that the costs will be "as low as possible?" What is the basis of setting the charges for the explosion service?

Answer. Article V provides that the charge for the explosive devices used will be "as low as possible and exclude any charge for research and development". Our decision to keep the charge as low as possible, by not including a charge for the research and development on the explosive devices used, was based on our belief that it would be unfair to try to recoup from parties to the NPT, the costs which we have or would incur, irrespective of the treaty, for research and development on nuclear explosive devices. Therefore, consistent with Article V, explosion services would be performed by the U.S. on the basis of full cost recovery, excluding only the charges for the general cost of research and development of nuclear explosive devices (including

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[2] *American Foreign Policy: Current Documents, 1956*, p. 926.

[1] *Military Implications of the Treaty on the Non-proliferation of Nuclear Weapons: Hearings*, pp. 119–125. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

[2] Mr. Foster's statement may be found *ibid., 1967*, pp. 172–173. It is not reprinted here.

[3] Not printed here.

our cumulative costs to date), since these costs have been, and will be incurred in the furtherance of our technical programs. Of course, much of the past knowledge used in our development of peaceful nuclear explosive devices has been obtained from our nuclear weapons development program.

The overall approach contemplated by the U.S. is consistent with the pricing policy which the Atomic Energy Commission follows, and has followed for many years, in connection with other materials and services it provides domestically and abroad. The explosion service will include, among other things, fabricating the nuclear explosive device, transporting the device to the project site, and emplacing and firing the device. Such costs, as well as appropriate overhead costs, would be borne by the foreign user and not by the U.S. Government. The U.S. Government would also be reimbursed if we undertook, apart from the service we would render pursuant to Article V, development work relating to a particular adaption of a nuclear explosive device or other operations for the benefit of a specific user.

4. Have the Soviets made a similar pledge to provide cheap explosion service?

Answer. Article V of the Treaty does not impose any obligation on the United States that is not imposed in the same terms on the Soviet Union. Article V provides that "*Each* Party to the Treaty undertakes *to take appropriate measures to insure that . . . potential benefits* from any peaceful applications of nuclear explosions *will be made available* to non-nuclear-weapon States Party to the Treaty . . ." It does not specify who must make them available, although the only parties that are expected to be in a position to do so are the United States and the Soviet Union. We have no greater responsibility in this respect than the Soviet Union.

5. Will we have to provide cheap explosion service to Soviet-bloc nations, if requested?

Answer. Our responsibility, like that of the Soviet Union is to take appropriate measures to insure that potential benefits will be available to non-nuclear parties on a non-discriminatory basis. It is probable that the Soviets will want to take care of their allies while we would expect to take care of our friends, either through bilateral agreements (which are permitted by the Article) or as arranged through the international body contemplated in Article V. Thus it seems unlikely that we will be called upon to provide services for members of the Soviet bloc. Even if we were, however, it would be on a cost recovery basis, and as will be true for all services, no compromise of information having any military significance would be involved.

6. Would we provide such service to Czechoslovakia today, with Soviet troops on Czech soil?

Answer. We could not provide such service to Czechoslovakia today, since there are not yet any fully developed commercial applications of nuclear explosions for peaceful purposes, which are the only type covered by Article V. The agreements under which the explosion service will be provided will undoubtedly contain appropriate provisions that could cover such situations as the one described in your question.

7. Are there any international conditions under which we would have the right to refuse such service?

Answer. We of course have control over the conditions under which we will make the service available on a bilateral basis. As one of the two probable sources of supply of the service, we will of course have a crucial voice in the conditions under which such services will be made available through the "appropriate international body". We believe the "special agreement or agreements" can, consistently with the Non-Proliferation Treaty, provide for unforeseen international conditions under which provision of a service could be refused.

8. Suppose we had been providing such a project to Czechoslovakia in the midst of the invasion. Would we have been able to suspend such service for political or diplomatic reasons?

Answer. As indicated in the answers to questions 6 and 7, we believe that provisions permitting the suspension of service in emergency conditions such as those described in your question could be included in the agreements negotiated.

9. Since Byelorussia and the Ukraine have their own seats in the UN, will they sign this treaty as separate nations?

Answer. The U.S. considers the Byelorussian SSR and the Ukrainian SSR to be constituent republics of the Union of Soviet Socialist Republics already covered by the signature to the NPT of the USSR. The U.S. would, therefore, reject any attempt by these constituent republics to sign the NPT in Washington and would refuse to accept any notice of any reported signature by them in Moscow. The special arrangement through which they were given membership in the United Nations and some of the UN's specialized agencies does not affect these conclusions. We note that neither Byelorussia or the Ukraine has signed the treaty and we doubt they will do so.

10. Would they be considered as nuclear or non-nuclear nations?

Answer. Since, as indicated above, they are constituent parts of the Soviet Union, they would be treated in the same way as one of the fifty states comprising the United States—i.e., they would not themselves be either nuclear-weapon states or non-nuclear-weapon states, but part of the Soviet Union, which is a nuclear-weapon state.

11. Would we have to supply them with explosion service?

Answer. No. Because we would not recognize them as parties.

12. Now, getting down to Article VI, does the disarmament pledge in that article require us to achieve any disarmament agreement, or merely to open negotiations in good faith?

Answer. Article VI of the NPT merely requires us to "pursue negotiations in good faith." It does not require us to *achieve* any disarmament agreement, since it is obviously impossible to predict the exact nature and results of such negotiations.

13. Does it specify or imply any specific framework of negotiations, such as: Bilateral negotiations with the USSR? Multilateral negotiations with the 18-Nation Disarmament Committee? Discussions at the UN Committees?

Answer. It does not specify or imply any specific framework of negotiations such as those named, although negotiations in any of those forums would be consistent with Article VI.

14. Does it imply a special set of conditions under which we must open negotiations?

Answer. No.

15. Would we be bargaining in bad faith if we continued to build defensive systems?

to "deploy and make" operational these defensive systems?

to increase R & D on defensive systems?

to build offensive systems?

to deploy offensive systems?

to increase R & D on offensive systems?

Answer. The answer to each of these questions, as applied to anything currently contemplated, is "no", at least prior to the reaching of any agreement.

16. Is the NPT itself considered a disarmament measure or a prelude to disarmament? Will the NPT make some nations stronger and others weaker?

Answer. Insofar as the nuclear-weapon states are concerned, the NPT is not in itself a disarmament measure. For the non-nuclear-weapon adherents it is a kind of non-armament measure directed at nuclear weapons. The NPT could be considered a "prelude to disarmament" only in the sense that Article VI calls for good faith negotiations on the subject, and certain of its preambles note the desire of the parties for progress in this field. The goal of trying to bring the nuclear arms race under some control and making progress towards disarmament has, aside from Article VI, been declared United States policy.

The NPT is designed to prevent additional nations from acquiring nuclear weapons or control over them. This will enhance the security of all nations, including those who forego the acquisition of such weapons. Hence we do not believe it will make such nations "weaker". It will clearly not affect the military strength of the United States.

17. Is the NPT necessary for further disarmament success?

Answer. We believe it would be considerably harder to make further progress toward arms control and disarmament if the NPT, which has been the principal focus of international disarmament discussions for the past four years, did not enter into force.

18. If the NPT is not ratified by the U.S. would we cease to press disarmament negotiations?

Answer. No. One of the principal functions given to my Agency by the Arms Control and Disarmament Act is "the preparation for and management of United States participation in international negotiations in the arms control and disarmament field".[4]

19. In other words, can we go ahead with other disarmament proposals, even if this one fails?

Answer. We can, but, as indicated in the answer to question 17, it would be considerably harder.

20. I would now like to turn to the question of "indirect control" prohibited by Articles I and II.

Ever since the NPT negotiations got underway, the Soviets were adamant about any nonnuclear nations, particularly West Germany, obtaining so-called "indirect access" to nuclear nations. Soviet opposition to the Multilateral Force (MLF) was based on this point. The

[4] *Documents on Disarmament, 1961*, p. 483.

U.S. continued to deny that the MLF constituted "indirect access". When the MLF fell through, the Soviets and the Americans suddenly found agreement on a draft treaty, the first one ever offered by the U.S. which included the words "directly or indirectly" with respect to transferring and obtaining control over nuclear weapons. Was the American acceptance of the word "indirectly" a concession to the Soviet position?

Answer. No. As we made clear in answer to questions from our allies, which are an integral part of the legislative history of this treaty fully known to the Soviets, and which have not been contradicted by the Soviets, (1) The treaty "does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs or warheads"; (2) "It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results"; and (3) "It does not deal with arrangements for deployment of nuclear weapons within allied territory, as these do not involve any transfer of nuclear weapons or control over them unless and until a decision were made to go to war, at which time the treaty would no longer be controlling".[5] In short, the treaty parallels the restrictions imposed by our own Atomic Energy Act.[6]

21. What is the meaning of "indirectly"?

Answer. The words "directly or indirectly" were used, as in many U.S. laws, to prevent evasion of the prohibitions of the treaty by indirect means—such as a transfer of a nuclear weapon through an intermediary which was not party to the treaty. Such an indirect transfer would be prohibited by our own atomic energy legislation.

22. Would that prohibition apply to technology related to nuclear explosions, but not directly involved?

Answer. The first clause of Article I, which contains the words "directly or indirectly" deals only with nuclear weapons or other nuclear explosive devices, and not with technology.

Technology is covered in the second clause only to the extent that it would "assist" a non-nuclear-weapon state to manufacture nuclear weapons. The intention is similar to that of Section 144 of the U.S. Atomic Energy Act, which provides for cooperation, including the sharing of nuclear technology, with states that have not developed nuclear weapons, provided that no such cooperation shall involve the communication of Restricted Data relating to the design and fabrication of atomic weapons.

23. Could this result in the shutting down of related nuclear industries in the non-nuclear-weapon states?

Answer. No.

24. What is the meaning of "transfer"? Does it mean physical transfer, transfer of partial command, or transfer under a two-key system?

Answer. The NPT was deliberately patterned after our own atomic energy legislation. The word "transfer" in the NPT is similar in scope

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[5] *Ibid., 1968,* pp. 477–478.

[6] Joint Committee on Atomic Energy, *Atomic Energy Legislation Through the 90th Congress, 1st Session* (Jt. Com. print, 90th Cong., 1st sess.).

to that in Section 92 of the Atomic Energy Act. The prohibition is on transfer of ownership or of control that would give the recipient the independent ability to use nuclear weapons.

25. Could the Soviets at some future date interpret "indirectly" in the fashion they have since the beginning, namely, meaning participation in nuclear decisions such as NATO?

Answer. The Soviets are aware of our interpretations with respect to participation in NATO nuclear decisions and they have not objected to them. This was made clear in testimony by Mr. Fisher and Secretary Laird before the Senate Foreign Relations Committee. The Soviets know that if they should take an official position in opposition to these statements, very serious problems would arise.

26. What language would prevent such an interpretation?

Answer. See answer to question 20.

27. Suppose NATO had a German commander. Would that be "indirect control"?

Answer. No. Such a hypothetical situation would not violate Article I of the NPT since custodial control over nuclear weapons of U.S. origin would still reside in the United States and the decision to use such weapons would remain with the President of the United States.

28. What language in the treaty specifically permits the stationing of U.S. nuclear weapons on the soil of non-nuclear countries?

Answer. Articles I and II do not prohibit stationing of nuclear weapons in the territory of non-nuclear-weapon states. Included in the questions and answers referred to in reply to question 20 was the question: "Does the draft treaty prohibit arrangements for the deployment of nuclear weapons owned and controlled by the United States within the territory of non-nuclear NATO members?" The U.S. replied: "It does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision is made to go to war, at which time the treaty would no longer be controlling." The Soviets have knowledge of the Answer and have not contradicted it.

29. Does the word "indirectly" in Article I negate to a large extent the broad permission to engage in peaceful nuclear work supposedly guaranteed in Article IV?

Answer. No.

30. Why are the phrases "nuclear weapons" and "other nuclear explosive devices" not defined?

Answer. It was believed that the term "nuclear weapons", when coupled with the term "other nuclear explosive devices" left no doubt that nuclear bombs and warheads (as distinguished from parts of nuclear weapons systems which are not explosive) were meant. The negotiating history makes it clear that "other nuclear explosive devices" was intended to cover nuclear explosive devices intended for peaceful purposes, since such devices can be used as a weapon or can be easily adapted for such use, and because the technology for making such devices is essentially indistinguishable from that of making nuclear weapons.

31. Who is to say where the nuclear aspect of weaponry leaves off and delivery or controls systems begin?

Answer. The treaty, in Articles I and II forbids transfer of nuclear weapons. The negotiating history makes clear that the term refers to "bombs and warheads". The first answer supplied by the U.S. to allied questions (referred to above) states in part that the treaty "does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems or control over them to any recipient, so long as such transfer does not involve bombs or warheads."

32. Past testimony has suggested that items such as nuclear ships or submarines would not be controlled by the treaty. What language in the treaty gives assurance that such elements in our weapons systems would not be controlled?

Answer. There is no language in the treaty which restricts the development by nuclear-weapon states such as the U.S. of nuclear ships and submarines with nuclear weapons. What would be controlled by the treaty is the transfer of nuclear explosive devices (i.e. warheads) to any recipient whatsoever or providing assistance to non-nuclear-weapon states in their manufacture.

33. What assurance do we or the Germans have that the Soviets will not continue to assert their interpretation of articles 53 and 107 of the UN Charter, under which they claim the right of intervention in "enemy" states?

Answer. Secretary Rogers met with the Ambassador of the USSR in early February to urge Soviet adoption of a different position on Articles 53 and 107 (the so-called "enemy" state articles) of the UN Charter. Afterwards, in a series of meetings between German and Soviet officials, an additional assurance was given by the Soviet Union to West Germany which has given them some consolation. Secretary Rogers stated this at the Senate Foreign Relations Committee Hearings on February 18 and concluded by stating that the Germans "feel somewhat reassured by the Soviets".[7] Moreover, the U.S., the U.K., and France issued statements in September, 1968, which made clear our view that the Soviet Union had no right under Articles 53 and 107 of the UN Charter to intervene by force unilaterally in the FRG. We also stated at that time that we believe the Soviets clearly understand that its intervention by force in the FRG would lead to an immediate response by NATO.[8]

34. On February 7 Chancellor Kiesinger said it would be impossible to sign the treaty as long as the Soviets upheld this interpretation.[9] Are we pressuring a country to forgo the use of weapons necessary to defend itself when the Soviets threaten to intervene?

Answer. The FRG must itself decide whether it considers it in its own security interest to sign the NPT. President Nixon has made it clear that we do not intend to twist arms to get signatures.

35. The German Federal Minister for Scientific Research Gerhardt Stoffenberg has declared this month that the costs of inspection would

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[7] *Nonproliferation Treaty: Hearings*, pt. 2, p. 341.
[8] *Department of State Bulletin*, Oct. 7, 1968, p. 365.
[9] *The Bulletin: A Weekly Survey of German Affairs* (Bonn), vol. 17, No. 6 (Feb. 11, 1969), p. 38.

handicap German industry by adding 5% to production costs. Have you made any comparable studies?

Answer. We believe that this figure is far too high. AEC estimates show that safeguards costs in relation to the value of electricity will decrease as nuclear power is developed to a fraction. It also presumes that industry will be charged directly for the cost of safeguards, whereas the IAEA's safeguards costs are funded by assessments on its members, according to the general UN formula. These estimates have been published on pages 153–155 of the July 1968 Foreign Relations Committee Hearings on the Non-Proliferation Treaty.

36. Article III permits compatibility between IAEA safeguards and Euratom safeguards, without a system of double controls. Do the Euratom signatories have any guarantee that they will achieve what is permitted, and not have to accept double controls?

Answer. As part of the presentation of Article III to the ENDC on January 18, 1968, the U.S. Representative, Mr. Fisher, stated three principles regarding the safeguards and the safeguards agreements called for by Article III. These principles were worked out in extensive discussions with our allies, and were presented to the Soviets as a basis for submitting Article III to the ENDC. The third of these guiding principles is directly concerned with the question of double controls. It states: "3. In order to avoid unnecessary duplication, the IAEA should make appropriate use of existing records and safeguards, provided that under such mutually-agreed arrangements IAEA can satisfy itself that nuclear material is not diverted to nuclear weapons or other nuclear explosive devices." [10]

37. What will be the makeup (East and West) on the inspection commission? On the Board of Governors of the IAEA?

Answer. According to Article VII D of the Statute of the IAEA [11] "the paramount consideration in the recruitment and employment of the staff . . . shall be to secure employees of the highest standards of efficiency, technical competence, and integrity. Subject to this consideration, due regard shall be paid to the contributions of members to the Agency and to the importance of recruiting the staff on as wide a geographic basis as possible." These principles guide the IAEA in the selection of inspectors. The formula for composition of the IAEA Board of Governors is set forth in Article VI of the IAEA Statute. Presently there are eight members of the Board from North America and Western Europe (Belgium, Canada, Finland, France, Italy, Turkey, UK and USA) and three members of the Board from Eastern Europe (Bulgaria, Poland and the USSR). It should be noted that the composition of the Board was amended to provide for additional members from Latin America and Africa and the Middle East. This amendment received the consent of the U.S. Senate on March 13, 1962.[12]

38. Does the IAEA inspection team have any obligation to report its findings to the Inspector General? Does the Inspector General have any obligation to report to the UN or any other body?

Answer. Article III requires the non-nuclear-weapon states Party to the NPT to accept safeguards, as set forth in an agreement to be

[10] *Documents on Disarmament, 1968*, p. 13.
[11] For the IAEA Statute, see *American Foreign Policy: Current Documents, 1956*, pp. 915 ff.
[12] 14 UST 135.

negotiated and concluded with the IAEA "in accordance with the Statute of the International Atomic Energy Agency". Under Article XII C of the IAEA Statute "The Inspectors *shall* report any non-compliance to the Director General who *shall* thereupon transmit the report to the Board of Governors." The Board, in turn *shall* call upon the recipient state to remedy any such non-compliance. Further, Article XII C provides that "[T]he Board *shall* report the noncompliance to all members and to the Security Council and General Assembly of the United Nations." [Emphasis added.]

39. Is there any sanction if the IAEA fails to report its findings? Is there any sanction if a non-nuclear nation is found derelict?

Answer. (*a*) The underlined language in the answer to the previous question makes clear that the IAEA is bound to report findings of non-compliance with a safeguards agreement to the UN. If they fail to do so, a UN Member could, of course, raise the matter in the UN itself.

(*b*) If a non-nuclear state has not complied with its obligations under a safeguards agreement concluded with the IAEA, and has failed to take fully corrective action within a reasonable time, Article XII C provides that: "The Board may take one or both of the following measures—direct curtailment or suspension of assistance being provided by the Agency or by a member, and call for the return of materials and equipment made available to the recipient member or group of members. The Agency may also, in accordance with Article XIX, suspend any non-complying member from the exercise of the privileges and rights of membership."

40. Since the signatories have a right to reject any individual inspector as unacceptable, how can we be sure that the non-nuclear countries get anything but a "friendly" inspection?

Answer. The section of the IAEA Inspectors Document (GC(V)/INF 39 Annex) which provides for rejection of unacceptable inspectors also provides for referral by the Director General to the Board of Governors for appropriate action, the "repeated refusal" of a State to accept an Agency inspector, if, in the opinion of the Director General "this refusal would impede the inspections provided for in the relevant project of safeguards agreement." It should be recalled that Article VII D of the Statute, set forth in the answer to question 37, requires the Agency to place great weight in the selection of its employees to efficiency, technical competence and integrity.

41. Is it technically possible to set inspection standards that are meaningful at the rate of development of today's technology?

Answer. Yes. However, both the NPT itself, and the IAEA safeguards system make provision for possible improvements to keep up with technology. A preambular paragraph of the NPT, inserted at our allies request, expresses support "for research, development and other efforts to further the applications, within the framework of the International Atomic Energy Agency safeguards system, of the principle of safeguarding effectively the flow of source and special fissionable material by use of instruments and other techniques at certain strategic

points". Paragraph 8 of the IAEA's safeguards system (INFCIRC/66) states that "The principles and procedures set forth in this document shall be subject to periodic review in the light of the further experience gained by the Agency as well as of technological developments." [13]

I should add that in the U.S. Government both the AEC and ACDA have increased their research into new methods of safeguarding which will be more effective, and less costly and intrusive. The IAEA has also expanded its program of research in this area.

Answers to Questions Submitted by Senator Thurmond to Dr. Seaborg on the Nonproliferation Treaty, February 28, 1969 [1]

Question. Is there anything in the nuclear technology that is so basically new that it contributes to other industries (such as chemicals, industry, plastics, polymers, etc.)?

Answer. Nuclear technology cuts across lines of most classical technical or scientific disciplines. Thus we find radioisotopes, for example, being used in research in medicine, biology, chemistry, hydrology, geology and many other fields. There are a number of examples that can be cited of nuclear technology applications in a variety of different industries also. The use of radiation processing to increase the durability of wood is just one such case. The Commission has a special program to assure maximum applicability of nuclear developments for non-nuclear benefits.

Question. What is the future of nuclear power as a prime source of energy for industry? for military uses? for space uses such as rocket fuels, etc.?

Answer. The practicality and economic promise of nuclear power as a prime source of energy for industry is well established so that predictions of future growth in this area may be considered to have a good base and a good probability of realization. We have estimated that by 1980, 20 to 30 percent of the electrical generating capacity in the U.S. will be nuclear, and by the year 2000 the nuclear capacity will represent about 50 percent of the total. For comparison, in 1965 less than 1 percent of the electricity in the U.S. was generated by nuclear plants.

The use of nuclear power for naval propulsion also is well established. The objective of the naval propulsion reactors program is the design and development of improved nuclear propulsion plants and reactor cores for installation in Navy ships ranging in size from small submarines to large combatant surface ships.

The use of nuclear power as a prime source of energy for other military uses, while technically feasible, has been limited to very

[13] *Documents on Disarmament, 1965*, p. 447.

[1] *Military Implications of the Treaty on the Non-proliferation of Nuclear Weapons: Hearings*, pp. 116–119. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

special applications and it is not possible to make reliable predictions of future developments.

The use of nuclear power in space has been demonstrated only for auxiliary power. The development of nuclear power for auxiliary power for spacecraft is continuing with emphasis on system technology that will be required in future missions as well as on several operational systems for current national space program missions.

The AEC and NASA are continuing a joint research and development program to develop the technology for future nuclear rocket engines. The future of this program and of nuclear power application in this field depends upon future space program directions.

Question. The Germans estimate that nuclear energy will provide for 80% of the entire consumption of electricity in their country by 1985. Will this put them at a competitive disadvantage with France which will have its own source of nuclear material? Strategically, will Germany be at the mercy of French, American, and Soviet pressures if they are dependent on outside sources to provide their nuclear materials?

Answer. The competitive position of Germany or other countries obtaining a large fraction of their electricity from nuclear power plants will depend primarily upon the cost of the electricity. The choice of nuclear fuel as the source of the electricity normally will be made on the basis of economic evaluations in comparison with alternative sources of energy. The choice of a particular reactor type and associated nuclear fuel for producing the electricity also is subject to economic evaluation. The decisions of other countries such as Germany and Japan to use U.S. type reactors, even though dependent upon isotopic enrichment of the nuclear fuel are primarily the result of such assessments within their local economic framework.

Since natural uranium is available from a number of different countries, it is assumed that the question is addressed to the limited sources for providing isotopic enrichment. The fact that the U.S. fuel enrichment policy is nondiscriminatory with respect to foreign users gives them the economic advantage of U.S. services.

Some countries, such as France, have preferentially sought to continue emphasis on nuclear power systems, using natural uranium even though the cost of power from such reactor systems may be somewhat greater than from those using slightly enriched uranium fuel. Although France has an isotopic enrichment plant it is not of sufficient capacity to be an important source of enrichment for civilian power needs and is known to be more expensive than the U.S. plants in terms of cost per unit of enrichment provided.

Thus, the treaty should not result in any competitive disadvantage for Germany relative to France or other countries. Also, there is nothing in the treaty which should create a strategic disadvantage for Germany or other countries currently without an enrichment capability.

Question. The Germans estimate that by the year 2000 the business value or reactor purchases in the European Common Market will amount to 100 billion German marks. Is this treaty trying to set up a monopoly for U.S. business interests?

Answer. No, this treaty is not trying to set up a monopoly for U.S. business interests. Germany, as a result of close cooperation with the U.S. both at governmental and industrial levels, has made very rapid progress in developing an industrial capability to provide services and equipment for a nuclear power industry except for isotope enrichment. They also are actively engaged in research and development in this area and there is no doubt that they can develop the industrial capability. There is only a question of whether it is economically justifiable in view of U.S. policies and capabilities for providing isotopic enrichment services. German industrial competition with U.S. industry in providing nuclear power reactors in other countries, such as their recent sale in Argentina, provides clear evidence of German industrial capabilities in this field.

Question. Will the costs of inspection be imposed as part of the safeguards agreements to be negotiated with the IAEA under Article III? Why aren't these arrangements spelled out in the treaty itself?

Answer. On the basis of discussion to date, we anticipate that the safeguards agreements being negotiated with the IAEA under Article III of the treaty will contain a provision relating to the costs incurred under the Agreement. We would also anticipate, however, that the agreements negotiated pursuant to Article III would follow the pattern of the Agency's current safeguards agreements which provide that the Agency will be responsible for the expenses which it incurs in carrying out inspections under the agreement.

In negotiating the NPT, it was recognized that the IAEA had been functioning in the field of safeguards for many years and that many pertinent details, including those relating to financing, had been the subject of discussion and consideration in the IAEA. The U.S. has played, and intends to continue to play, a prominent role in such developments. It was not considered appropriate to reopen in the negotiation of the treaty, questions which had already been resolved in the IAEA.

Question. Will the costs be the same for all nations under inspection?

Answer. Since, under the IAEA's present system of financing, safeguards costs are included in the assessed budget, the proportion of those costs borne by each member of the IAEA would be the same as its proportion of the assessed budget.

Question. Who will pay for the inspection, nuclear countries, which are purportedly the source of proliferation, or the non-nuclear countries?

Question. If the nuclear nations pay, will all nuclear signatories pay on an equal basis?

Question. If the non-nuclear nations pay, will it be on an equal basis?

Question. If both nuclear and non-nuclear nations pay, will the apportionment of costs be equal?

Question. Will the apportionment of costs be on the basis of GNP, or amount of material inspected? Or what?

Question. Will the costs be voluntary contributions, or mandatory assessments?

Answers to above six questions—As indicated in the answers to the preceding questions, under the Agency's present system, inspection costs would be borne by all members, through the assessed budget.

Question. Will the costs be borne by the governments involved, or the nuclear industries in each country?

Answer. Since assessments are made upon the member states' governments, we would anticipate that the IAEA would continue to look to them for its funds. Each national government can, of course, choose its own means of raising the funds to be paid to the IAEA.

Question. If the costs are imposed on the peaceful nuclear industries in the non-nuclear-weapons countries, will that result in a competitive disadvantage as against countries where the industries are not controlled?

Answer. If, as implied in the answer to the preceding question, a national government should choose to recover its IAEA assessment, including its safeguards costs, through a charge on its peaceful nuclear industries, it would seem that those industries would thereby be placed under an economic handicap as compared with industries that were not so charged. The significance of such a handicap would obviously depend upon the amount of the charge and the size of the nuclear industry upon which it was levied.

Question. Will the Soviets pay their share?

Answer. In past discussions within the IAEA of the financing of Agency safeguards costs, the Soviet Union has not challenged the principle that these costs should be charged against the assessed budget in those cases in which a state's entire nuclear program is being placed under the Agency's system. Thus, they raised no question when the Board of Governors considered the agreement with Mexico under the Latin American Nuclear Free Zone Treaty.[2]

In cases in which the Agency has accepted responsibility for safeguards functions under bilateral agreements, the Soviet Union has taken the position that the costs of safeguards in such cases should be recovered by the Agency from the parties to the bilateral agreements. However, the Agency has to date accepted such safeguarding responsibilities under bilateral agreements of the United States, the United Kingdom, and Canada and the costs incurred under these agreements are being financed out of the assessed budget.

Question. Has the question of payments ever been raised in negotiations with the Soviets?

Answer. Not to our knowledge.

Question. What happens if the Soviets or other nations refuse to pay their assessed costs?

Answer. The IAEA statute provides that a member of the Agency which is in arrears in payment of its financial contributions shall have no vote in the Agency if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two years. The General Conference (in which all members, now 101, are represented) may, however, permit such a member to vote if it is

[2] The Latin American treaty appears *ibid., 1967*, pp. 69 ff.

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satisfied that the failure to pay is due to conditions beyond the control of the member.

Question. How is the cost of the voluntary inspection by the IAEA of U.S. peaceful installations currently being borne? Will this be a model of future cost arrangements?

Answer. In 1962 the United States, by agreement with the Agency, voluntarily placed four reactors under Agency safeguards. The costs of the Agency's inspections of these reactors has been borne out of the Agency's assessed budget on the same basis as its other safeguard costs. As noted above, no discussion has taken place in the IAEA, in light of the NPT, to revise this practice.

Statement by ACDA Director Smith to the Senate Committee on Armed Services: Nonproliferation Treaty, February 28, 1969[1]

Mr. SMITH. Mr. Chairman, and members of the committee, I am pleased to be here today for this, my first, opportunity to appear before your committee. I would point out that I was sworn in only 2 weeks ago and do not yet claim to be an expert on the Nonproliferation Treaty,[2] but Mr. Fisher, who had a leading role in negotiating the treaty, is here with me this morning as is Lt. Gen. John Davis, and Mr. Van Doren, our general counsel.

In assessing the military implications of the Nonproliferation Treaty, I know you are giving weight to the opinions of the Defense Department and the Joint Chiefs. In endorsing the treaty, General Wheeler has pointed out, among other things, that the treaty would not operate to the military disadvantage of the United States and its allies. Recently Secretary Laird, and Mr. Nitze last summer, in testimony before the Foreign Relations Committee, declared their full support for the treaty and pointed out that it would not affect our ability to meet our defense obligations or interfere with any existing nuclear arrangements we have with our allies. I would like to add my endorsement of the treaty to theirs.

President Nixon stated in a speech last October:

> Our Department of Defense and our Arms Control and Disarmament Agency share the same objective—the enhancement of our national security. Their perspectives, while different, are complementary.[3]

To the extent that I, as Director of the Arms Control and Disarmament Agency, can contribute to what the President has characterized as an era of negotiation in the pursuit of peace, consistent with the dictates of our national security, I shall do so. That process obviously

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[1] *Military Implications of the Treaty on the Non-proliferation of Nuclear Weapons: Hearings*, pp. 87–88.
[2] *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ibid.*, p. 696.

requires close synchronization of the complementary missions of the Department of Defense and the Agency I now head.

With respect to the question of involvement in the future implementation of the treaty's provisions, the Arms Control Agency would have a direct interest in the effective implementation of all aspects of the treaty. In connection with safeguards, for example, our role complements that of the AEC. ACDA would work with the AEC, the Department of State, and the U.S. delegation to the IAEA on these matters.

ACDA's principal role in implementing the treaty, however, insofar as it relates to military questions, concerns article VI, which provides:

> Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

The nonnuclear-weapon countries under the treaty would forego nuclear weapon capabilities. Therefore, they wanted the treaty to incorporate a specific pledge that would reflect the intention of the United States and the Soviet Union to try to bring the nuclear-arms race under some control and make progress toward disarmament. Of course, this has long been a declared U.S. policy aside from the article calling for such negotiation, article VI.

Under the direction of the Secretary of State, ACDA has a primary responsibility for preparing for and participating in international negotiations on arms control measures which the President has approved. Presidential consideration would, of course, include both political and military implications of possible arms control measures. The necessity for congressional consultation and advice on U.S. arms control proposals is clearly recognized by us, and you have assurance under section 33 of the Arms Control and Disarmament Act which established the Agency I now head, that no action can be taken that would obligate the United States to reduce its armaments without the prior approval of Congress.

Mr. Chairman, I am also mindful of the provision in my Agency's enabling act which reads:

> Arms control and disarmament policy, being an important aspect of foreign policy, must be consistent with national security policy as a whole. The formulation and implementation of United States arms control and disarmament policy in a manner which will promote the national security can best be insured by a central organization charged by statute with primary responsibility for this field.[4]

I fully intend to discharge that responsibility to the best of my ability. I believe that arms control efforts are an important means of advancing our national security in today's world.

I would welcome your help and advice in working toward this goal.

Mr. Chairman, that concludes my prepared statement, and I would be glad to try to answer any questions which the committee may ask.

Thank you.

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[4] *Ibid., 1961,* pp. 482 ff.

News Conference Remarks by President Nixon [Extracts], March 4, 1969 [1]

. . . . . .

Q. Mr. President, in your conversations with Chancellor Kiesinger, do you believe that you convinced him that his government's reservations against joining in the Nuclear Nonproliferation Treaty [2] were not valid, and that joining in the treaty would be in West Germany's best interests?

THE PRESIDENT. I think it would be appropriate to say that the German Government has considerable difficulties with regard to ratification of the treaty—difficulties which we need to understand even though we may not agree with their position.

Their attitude as far as we are concerned is quite well known. They know that I have sent the treaty to the Senate, that the Senate will probably give its advice and consent and that we will ratify.

They know, too, my position, that it is not only in the interests of the United States but that I believe it is in the interests of all governments, including the West German Government, to ratify.

I did not put pressure on them, publicly or privately, and I will not put pressure on them publicly or privately. But I believe that since it is in their interests to ratify the treaty that after consideration without pressure the West German Government will at an appropriate time ratify the treaty.

. . . . . .

Q. Mr. President, we were told during the trip that at the appropriate moment you were prepared to begin negotiations with the Soviet Union on a broad front and that these negotiations would include not only disarmament but other, possibly political, areas.

What problems do you see as ripe for discussion with the Soviets?

THE PRESIDENT. I should first indicate that talks already are going on with the Soviet Union in one sense. The discussions that the Secretary of State and I have had with Ambassador Dobrynin have been substantive and have been talks, in effect, with the Soviet Government, because he had consulted with his own government before he had his talk with me and with the Secretary of State.

The talks on the Mideast would be the first subject in which bilateral as well as multilateral discussions could take place.

The possibility, also, of discussions on strategic arms—this is a possibility for the future.

Let me indicate where it stands now. We have completed our discussions with some of our European friends. We will have more discussions with them as we get our own position developed. We are going forward with the analysis of the American position—of our strategic arms capabilities, of our conventional arms capabilities—so that when we have before us the decision as to whether we go into talks, we will know what our position will be.

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[1] *Weekly Compilation of Presidential Documents*, Mar. 10, 1969, pp. 364–369.
[2] The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

Assuming that those studies go forward on schedule, and assuming that we make progress on some of these political areas, like the Mideast, then there is a possibility, a good possibility, that talks could go forward in that area.

I can see those as two areas, and there are others which could develop as well.

. . . . . .

Q. Mr. President, some of us have been under the impression that you attached important preconditions to summit talks with the Soviets, specifically some prior evidence or showing on their part that they were doing something to improve conditions in either the Middle East or Vietnam.

Have those impressions been false or has something happened to your own thinking in this area very recently?

THE PRESIDENT. No, I did not intend to leave the impression that we say to the Soviet Union that unless they do this we will not have talks that they want on strategic arms.

What I have, however, clearly indicated, is that I think their interests and ours would not be served by simply going down the road on strategic arms talks without, at the same time, making progress on resolving these political differences that could explode. Even assuming our strategic arms talks were successful, freezing arms at their present level, we could have a very devastating war. It is that point that I have been making.

I should also emphasize that I made this point to every European leader that I talked to, and every one of them—and I do not commit them to the position—every one of them understands the position, because the Europeans have a great sense of history. All of them recognize that most wars have come not from arms races, although sometimes arms races can produce a war, but they have come from political explosions.

Therefore, they want progress, for example, on Berlin; they want progress on the Mideast; they want progress on Vietnam, at the same time that they want progress on strategic arms talks.

So our attitude toward the Soviet is not a highhanded one of trying to tell them, "You do this or we won't talk." Our attitude is very conciliatory, and I must say that in our talks with the Soviet Ambassador, I think that they are thinking along this line now, too. If they are, we can make progress on several roads toward a mutual objective.

ACDA Statement on First Look Inspection Field Test, March 4, 1969 [1]

New light has been shed on the inspection techniques and organization which could be used to verify compliance with an international

[1] ACDA public information release 69-10, Mar. 4, 1969.

arms control agreement without compromising the national security of the country under inspection.

According to the preliminary report on the world's first large-scale international arms control field test—Exercise FIRST LOOK, the information provided by a small inspection organization, together with input from other sources, would give reasonable assurance that an agreement on levels of forces was being observed.

The report, prepared by the test staff, presents a summary of field operations and preliminary results of the test. The exercise was sponsored jointly by the U.S. and British governments.

Groundwork for FIRST LOOK was laid in four earlier tests held in the United States in which only American personnel were involved.

The budget for FIRST LOOK was $3.4 million and was shared by the sponsoring agencies. The 500 participants for the test came from the U.S. and United Kingdom armed services and operated under the direction of Brigadier Paul S. Ward, British Army, and his American Deputy, Colonel Paul G. Skowronek, U.S. Army.

Exercise FIRST LOOK took place in England between March and September of 1968. The activities of some 30,000 British troops in a 2,000-square-mile area near the Salisbury Plain were monitored by a variety of inspection organizations using combinations of different inspection methods and techniques.

Some inspection organizations were allowed to enter military installations while others were required to conduct inspection outside the installation limits aided by binoculars and telephoto cameras.

Aerial surveillance information was provided to some but not to others. Observation data from an unmanned ground sensor system was given to some but not all. Inspection organizations varied in size, according to the number of two-man teams employed. Some inspecting units used only two teams, others had four or eight.

The exercise was conducted on the assumption that the right to inspect and verify would be guaranteed under an arms control treaty, and that the inspection would be entirely overt. A further assumption was that, under this hypothetical treaty, the host nation would have made a declaration of forces, equipment, and facilities located within the treaty area.

The preliminary report was presented to NATO officials this month by the test director, Brigadier Ward. The document shows that while the smallest inspection organization, made up of two two-man teams, is the most efficient and economical on the basis of manpower, its reporting potential is greatly influenced by the amount of access it has.

The utility of aerial surveillance data was investigated and the organizational considerations which would lead to its most effective use were identified. Deployment of sensors at selected inspection sites was found to be helpful but not critical to the success of such an inspection operation. The problems associated with the integration of

observations from the several inspection methods were identified for future consideration.

Letter From Assistant Secretary of State Macomber to Senator Aiken on the Nonproliferation Treaty, March 5, 1969 [1]

DEAR SENATOR AIKEN: The Secretary has asked me to reply to your letter of February 24 concerning the U.S. safeguards offer which was made in connection with the Non-Proliferation Treaty.[2]

Enclosed are answers, prepared by the Atomic Energy Commission, to the questions attached to your letter and to the additional question asked on page 2 of your letter.

With respect to the concern expressed in the last paragraph of your letter, I shall see to it that you are informed prior to any decision to go ahead on the Cape Keraudren project.

Sincerely yours,

WILLIAM B. MACOMBER, JR.,
Assistant Secretary for Congressional Relations.

ANSWERS TO QUESTIONS SUBMITTED BY SENATOR AIKEN

Question 1. What authority does the U.S. Government have to require private companies in the United States to accept foreign inspection of their plans?

Answer. It is our intention in making this offer to rely upon the voluntary cooperation of the U.S. nuclear industry in implementing it. Our consultations with them, prior to making the offer, have given us confidence that this cooperation will be forthcoming. However, if it becomes necessary in any instance to rely on the regulatory powers of the U.S. Atomic Energy Commission to require the participation in the inspection system by specific companies, the Attorney General would have to determine the extent to which the Commission's current authority would permit it to require a licensee to open his facility to inspection by an organization other than the Commission or other U.S. agencies.

Question 2(a). What is the estimated cost of inspecting U.S. facilities per year for the next five years? What is the basis for your estimate?

Answer. The U.S. effort will not be implemented until the NPT comes into effect and safeguards are applied in non-nuclear-weapon states under the treaty. For purposes of illustration, however, one can show the effect of the IAEA beginning to safeguard a small fraction

[1] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 501–505.

[2] The Senator's letter appears *ante*, pp. 47–48. The U.S. safeguards offer may be found in *Documents on Disarmament, 1967*, pp. 613–615. For the nonproliferation treaty, see *ibid., 1968*, pp. 461–465.

of U.S. activities and gradually increasing the number of activities safeguarded, until as much as one-fourth of all those activities eligible under the offer are safeguarded, as follows:

IAEA safeguards costs

1970	$250,000
1971	750,000
1972	1,200,000
1973	1,600,000
1974	2,000,000
1975	2,500,000

If by 1975, the IAEA were safeguarding *all* U.S. activities eligible under the offer, the costs during that year would be about $10 million.

Question 2(b). Who will pay for the cost of these foreign (IAEA) inspections of U.S. facilities? (These costs would include such items as overseas travel, per diem, and administrative expenses.)

Answer. We anticipate that the safeguards agreement to be negotiated with the IAEA pursuant to the U.S. offer will contain a provision relating to the costs incurred under the Agreement. We would also anticipate, however, that the agreement would follow the pattern of the Agency's current safeguards agreements which provide that the Agency will be responsible for the expenses which it incurs in carrying out inspections under the agreement. Under the IAEA's present system of financing, safeguards costs are included in the assessed budget, with the assessment for each member calculated in accordance with a formula similar to those employed by UN organizations.

Question 2(c). Has the matter of cost for inspections of United States facilities been firmly established or is it subject to renegotiation whereby the United States might find itself paying more than its 31% assessment for the IAEA budget?

Answer. See answer to 2(b). No discussion has taken place in the IAEA, in light of the NPT or the U.S. offer, to revise the present system of financing the IAEA's safeguards activities.

Question 3(a). Has the type and degree of inspection been established? For example, have manuals been written to show how to conduct an inspection of a reprocessing plant?

Answer. The IAEA general safeguards principles and procedures have been set forth in INFCIRC/66/Rev. 2, a copy of which is enclosed.[3] The IAEA has prepared for the use of its inspectors more detailed manuals of safeguards practice, as for example, for a reprocessing plant. That manual was based in part on a 3-volume manual prepared for the AEC by Nuclear Fuel Services, West Valley, New York, for safeguards at its commercial reprocessing plant and made available by AEC to the IAEA.

Question 3(b). Have these manuals been standardized and approved by U.S. representatives to IAEA?

Answer. The IAEA reprocessing plant safeguards manual was reviewed in draft in Vienna by U.S. experts in safeguards and chemical reprocessing, and comments were given to the IAEA.

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[3] Not printed here.

Question 3(c). Have any representatives of United States industry reviewed these manuals to determine if they place an undue burden on the company to be inspected? If so, please list the company and manual.

Answer. The IAEA manual is considered to be proprietary information and not for dissemination to potential subjects of IAEA inspection. However, Nuclear Fuel Services did not complain of any undue burden placed on them by the IAEA safeguards which were conducted there in accordance with the IAEA manual.

Based on the experience of IAEA implementation of safeguards in the NFS, West Valley plant, it appears that the IAEA manual for reprocessing plants is quite similar to the manual produced by NFS.

Nuclear Fuel Services considered, in preparation of its manual, the expected impact on its plant and did not conclude that it placed an undue burden on NFS. Several other U.S. companies have received copies of the NFS manual, including Allied Chemical Company and the General Electric Company, who are planning to construct their own chemical reprocessing plants. Neither company has advised the AEC that the safeguards procedures in that manual would constitute an undue burden.

Question 3(d). If no manuals or specific procedures have been established to date, when will they be established? Will it clearly be before the first inspection of the United States facilities following the entry into force of the NPT?

Answer. See answer to 3(a) above.

Question 3(e). Will Congress have an opportunity under law to review procedures and manuals before they become effective?

Answer. As noted in the answer to 3(b) above, the IAEA considers its detailed inspection procedures to be privileged information. They do not consider open disclosure of their detailed inspection techniques and plans to be in the best interest of their safeguards responsibility. Further, they would not wish to be placed in a position of appearing to invite modifications to their procedures by parties which may be subject to those procedures and which may therefore not be completely objective. However, a member who felt that procedures were ineffective or too burdensome would have recourse to the Board of Governors.

Question 4. If we are to impose a burden not technically required under the NPT on United States industry, it should be clear to what degree United States industry will be inspected by foreign officials. For example, a cursory bookkeeping inspection might take only a day or two. On the other hand, a thorough technical analysis of an entire plant might take several weeks and cause interruptions and loss of revenue by the company.

Can you be specific on the numbers and types of inspections the United States plants will be subjected to? Can you be specific on the length of time each inspection will take and the depth of each inspection?

If not, will these answers be known before the United States becomes committed to accept foreign inspectors under the December 2, 1967 commitment?

Answer. INFCIRC/66/Rev. 2 sets forth a guide as to the maximum frequency of inspections for smaller facilities. For major types

of nuclear plants handling substantial quantities of nuclear material, INFCIRC/66/Rev. 2 provides that inspectors shall have access at all times, which will normally be implemented by continuous inspection. In view of the limited objectives of safeguards inspections, i.e., to verify that diversions of nuclear material have not taken place, it would not be expected and it has not been our experience that IAEA safeguards are applied in such intensity and breadth that plant operation is interrupted or that revenue is lost by the operator. The inspection, in each case, will be conducted in a manner appropriate to the particular circumstances surrounding the nuclear material involved. One such factor is the extent to which the plant's own nuclear material control system has been efficient and effective prior to the time of inspection. Such factors cannot be specified in detail in advance. In any event, we do not foresee that safeguards will impose any significant burden on U.S. industry.

Question 5. What provisions are made to protect United States industrial "trade secrets" from foreign inspectors?

Answer. INFCIRC/66/Rev. 2, "The Agency's Safeguards System" states in paragraph 13: "In implementing safeguards, the Agency shall take every precaution to protect commercial and industrial secrets. No member of the Agency's staff shall disclose, except to the Director General and to such other members of the staff as the Director General may authorize to have such information by reason of their official duties in connection with safeguards, any commercial or industrial secret or any other confidential information coming to his knowledge by reason of the implementation of safeguards by the Agency." Paragraph 14 further states:

> **The Agency shall not publish or communicate to any State, organization or person any information obtained by it in connection with the implementation of safeguards, except that:**
>
> **(a) Specific information relating to such implementation in a State may be given to the Board and to such Agency staff members as require such knowledge by reason of their official duties in connection with safeguards, but only to the extent necessary for the Agency to fulfill its safeguards responsibilities;**
> **(b) Summarized lists of items being safeguarded by the Agency may be published upon decision of the Board; and**
> **(c) Additional information may be published upon decision of the Board and if all States directly concerned agree.**

INFCIRC/66/Rev. 2 states in regulation 106: "Members of the Secretariat shall exercise the utmost discretion in regard to all matters of official business. They shall not communicate to any person or government any information known to them by reason of their official position which has not been made public, except in the course of the performance of their duties or by authorization of the Director General. They shall not at any time use such information to provide advantage and they shall not at any time publish anything based thereon except with the written approval of the Director General. These obligations shall not cease upon separation from the Secretariat."

In addition to the protection provided by the IAEA's regulations, the operator of each facility being inspected may withhold from the inspectors any data which is not necessary for the performance of safeguards. We are not aware of any instance of the IAEA requiring,

for purposes of its safeguards, any information which any plant operator considered to be a "trade secret".

Question 6. Are there any plans for foreign "resident inspectors"?

Answer. Large facilities, such as the Yankee Power Reactor and NFS, while processing large quantities of safeguarded nuclear material, qualify for what the IAEA calls "access at all times" by inspectors. IAEA inspectors were present at NFS during the more than seven weeks in 1967 during which safeguarded Yankee fuel was being processed. During each of several refuelings of the Yankee Power Reactor, the IAEA has had personnel in residence for each period of several weeks when the reactor was opened.

There are no plans at present for the IAEA to station personnel permanently at any U.S. facility currently subject to IAEA safeguards.

Question 7. Have you asked industrial representatives at Nuclear Fuel Services (NFS) if inspections have caused excessive loss of time or money because of the additional efforts required to take care of inspectors?

Answer. Mr. J. Clark of NFS in a report of October 1967 requested by US AEC on the first inspection of IAEA of NFS stated that: "The safeguards exercise caused no delays in processing, but involved significant man-hours of NFS operations and staff." He added that the requirements for assistance by the facility should decrease as the IAEA inspectorate became more knowledgeable and inspection procedures were optimized.

Messrs. C. Runion and J. Clark of NFS in referring to the IAEA inspection stated at the Atomic Industrial Forum at Boca Raton, Florida in March 1968: "Contrary to our fears in 1963 the inspection did not place an undue burden upon NFS." They did point out that large numbers of visitors other than inspectors visited the plant during inspection and that this influx of visitors created extra burdens on the NFS staff and some extra expense.

Question 8. Have foreign inspectors carried out inspection of nuclear fuel at Hanford?

Answer. The plutonium obtained from the safeguarded Yankee fuel reprocessed at Nuclear Fuel Services under IAEA safeguards in August and September 1967 is stored at Richland, Washington, formerly known as Hanford. After a visit by an IAEA inspector, the facility, which is located in an area outside that in which classified work is carried out, was approved for storage. The safeguarded plutonium stored there has been inspected by the IAEA upon two occasions.

Question from page 2 of Senator Aiken's letter to Secretary Rogers: "I understand that the U.S. can veto a particular inspector if our Government finds him objectionable. However, I would appreciate it if you would advise me of the specific number of vetoes the United States is allowed or if the vetoes are unlimited, what criteria has been established for such veto."

Answer. IAEA provisions for designation of inspectors are as follows:

1. When it is proposed to designate an Agency inspector for a State, the Director-General shall inform the State in writing of the name, nationality and

grade of the Agency inspector proposed, shall transmit a written certification of his relevant qualifications and shall enter into such other consultations as the State may request. The State shall inform the Director-General, within 30 days of receipt of such a proposal, whether it accepts the designation of that inspector. If so, the inspector may be designated as one of the Agency's inspectors for that State, and the Director-General shall notify the State concerned of such designation.

2. If a State, either upon proposal of a designation or at any time after a designation has been made, objects to the designation of an Agency inspector of that State, it shall inform the Director-General of its objection. In this event, the Director-General shall propose to the State an alternative designation or designations. The Director-General may refer to the Board, for its appropriate action, the repeated refusal of a State to accept the designation of an Agency inspector if, in his opinion, this refusal would impede the inspections provided for in the relevant project or safeguards agreement.

In practice, the IAEA informally advises the State concerned of its intention to designate specific inspectors, prior to the formal written proposal of designation of an inspector called for in paragraph *1* above. During this informal process, the State concerned has an opportunity to make the IAEA aware that no inspectors of a certain nationality, for example, would be acceptable. The variety of nationalities represented among the IAEA's inspectors permit the Director-General to designate inspectors for a particular State, which will not be unacceptable, while avoiding a situation where a State accepts only inspectors of friendly nationalities.

Statement by ACDA Director Smith to the Subcommittee on International Organization and Disarmament Affairs of the Senate Foreign Relations Committee: Antiballistic Missile Deployment, March 6, 1969 [1]

Mr. Chairman, and members of the committee, as the newly appointed Director of the Arms Control and Disarmament Agency, I am impressed with the soundness of the premise in the Arms Control and Disarmament Act which provides that "arms control and disarmament policy, being an important aspect of foreign policy, must be consistent with national security policy as a whole." Also under that act, the Agency has a mandate to study both "the arms control and disarmament implications of foreign and national security policies of the United States," and "the national security and foreign policy implications of arms control and disarmament proposals." [2]

Today's hearings clearly involve such considerations. The central one, in my judgment, at the present time is how to bring the spiraling nuclear arms race under some verifiable control. And I would like to contribute what I can to clarification of such of the issues involved in the ABM decision as relate to arms control, and particularly to the proposed talks on strategic arms limitations.

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[1] *Strategic and Foreign Policy Implications of ABM Systems: Hearings Before the Subcommittee on International Organization and Disarmament Affairs of the Committee on Foreign Relations, United States Senate, Ninety-first Congress, First Session*, pt. I, pp. 3–6.

[2] See *Documents on Disarmament, 1961*, pp. 482, 487.

PREVIOUS EXCHANGES WITH U.S.S.R. ON ARMS TALKS

Perhaps it would be helpful at the outset to review exchanges with the U.S.S.R. that have taken place with regard to such talks.

The initiative for the strategic arms limitation talks originated in late 1966 with several informal exchanges between senior U.S. officials and Ambassador Dobrynin of the Soviet Union in Washington.

Senator FULBRIGHT. Who initiated them, Mr. Smith? I am not clear. Did we or did Ambassador Dobrynin?

Mr. SMITH. I think the record is clear we initiated the concept.

Formal exchanges began in early 1967 and, as you recall, President Johnson, at his press conference on March 2, 1967, announced that he had received a reply from Chairman Kosygin to his letter of January 27 confirming "the willingness of the Soviet Government to discuss means of limiting the arms race in offensive and defense nuclear missiles."[3] Both the President and Secretary McNamara raised this subject during the Glassboro meetings in June 1967.

On July 1, 1968, President Johnson and Chairman Kosygin issued similar statements indicating agreement to discuss "the limitation and eventual reduction of both offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles."[4] The U.S.S.R. had informed us, shortly before the Czechoslovakian invasion, that it was prepared to begin talks between special representatives. The Soviets have continued to show strong interest in pursuing this subject, as evidenced by the Tass article on Inauguration Day indicating their willingness and readiness to begin talks.[5]

President Nixon indicated at his press conference last Tuesday that, although he thinks that both the interests of the United States and the Soviet Union would not be served by simply going down the road on strategic arms without, at the same time, making progress on resolving political differences, he did not intend to leave the impression that we are saying to the Soviet Union that unless they do this we will not have talks on strategic arms.[6] The executive branch is reviewing on a priority basis the overall U.S. strategic force posture, including both offensive and defensive systems. This review includes arms control considerations. And I would like to say that my Agency, among others, is actively engaged in this review and in preparation for talks, and that I have devoted a good part of my time to this subject since taking office.

NEGOTIATIONS ON BOTH OFFENSIVE AND DEFENSIVE SYSTEMS

It is important to note that these negotiations with the Soviet Union would relate to both offensive and defensive systems, and not just to ABMs. This is so because of the interaction of the two types of systems. The Soviets are not interested in talking only about ABMs.

The objective is to prevent an escalation of the arms race. Thus, for example, if we were to deploy a "thick" ABM system, the Soviets might well react by increasing their offensive capabilities in order to

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[3] *Ibid., 1967*, p. 108.
[4] *Ibid., 1968*, p. 460.
[5] *Ante*, pp. 27–31.
[6] *Ante*, pp. 66–67.

penetrate it. But if we could reach a satisfactory agreement, putting limitations on both offensive and defensive strategic systems, we might avoid this action-reaction phenomenon, which would entail a great expenditure of effort and resources without any net gain to U.S. security.

FOREIGN ATTITUDES TOWARD U.S. ABM DEPLOYMENT

At this point I might comment briefly on foreign attitudes toward ABM deployment and the proposed strategic arms limitation talks. These attitudes were ascertained prior to the President's recent trip to Europe.

Informed opinion abroad, and particularly in Europe, views the ABM problem as one primarily affecting the United States and U.S.S.R. There is a general feeling, shared by all our allies, that United States-Soviet negotiations involving ABMs, as well as offensive systems, would be desirable. Our allies want us to consult with them regarding progress of any such negotiations and we have assured them we shall do so.

Let me turn now to the question of ABMs. Under the budget cycle, the new administration has to make its decision with respect to fiscal 1970. This review should be completed in the near future. My agency is participating in the review, and in the deliberations of the National Security Council.

Before the review is completed, I think it would be inappropriate for me to comment on it. What I can say is that arms control considerations are being given serious attention.

I assume that you are primarily interested in hearing from me today about the possible impact on the strategic arms limitation talks of any decision which might be made on the U.S. ABM program as a result of this review. For the reasons I have indicated, I must confine myself to general observations.

1967 SENTINEL DECISION

Let us assume, as one possible example, resumption of the Sentinel deployment program along the lines recommended by the previous administration. This program was announced in September 1967 after the United States had advised its allies and the Soviet Union. As stated at that time, the basic purpose of the Sentinel deployment was primarily to limit possible damage from minor strategic threats. Great effort was made to prevent this decision from being misconstrued and becoming a steppingstone to a new upward spiral in the strategic arms race between the United States and the U.S.S.R. I would think that a decision to resume some such deployment at this time would not prejudice the prospects for strategic arms limitation talks.

We cannot, of course, know what the Soviet reaction was to this previous Sentinel decision since we don't know in sufficient detail what motivates Soviet programing. U.S. ABM programing is only one of many factors which influence their strategic plans. It should be noted that there was very little public Soviet reaction to the original Sentinel announcement. However, since the 1967 ABM decision, the Soviets have continued to expand their strategic offensive forces, prob-

ably to be confident of maintaining their deterrent, or "assured destruction," capability in light of the overall U.S. capability. Furthermore, as former Secretary Clifford pointed out in his presentation of the fiscal 1970 budget, the U.S.S.R. is pushing vigorously ahead with an R. & D. program for an advanced ABM system, although their ABM deployment around Moscow is probably somewhat smaller than originally projected.[7] Thus, it is likely that a Soviet military reaction, if any, to a Sentinel-type deployment is probably already in train and should not be affected by my hypothetical example of a decision to proceed with that type of system.

In June of 1968, the Soviets indicated that they were prepared to begin talks to limit both offensive and defensive strategic arms. This was some 18 months after President Johnson had originally proposed them, and some 9 months after the announced Sentinel deployment decision. This timing would not necessarily suggest a direct relationship between Sentinel and the talks. The Soviet agreement to talks followed closely on the U.N. resolution endorsing the Nonproliferation Treaty which includes a provision, article VI, in which parties to the treaty would undertake to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race as well as other disarmament issues.[8]

EFFECT OF SENTINEL DECISION ON SOVIET ATTITUDE TOWARD TALKS

Since June of 1968, the Soviets have been pressing for initiation of these talks, despite the fact that the United States was, until last month, proceeding with the full Sentinel program. On the other hand, there has been no slackening of the Soviet interest during the past month while the ABM deployment decision has been under review. In light of these factors, it would be my judgment that the assumed example to proceed with Sentinel would have little, if any, impact on the Soviet interest in negotiating strategic arms limitations.

It is my personal judgment that to proceed with a greatly enlarged, or so-called thick ABM system, would have a harmful effect on the outcome of strategic arms limitation talks. It would be looked on as an escalation of the strategic arms race started after the Soviets had agreed to proceed with the talks. They would probably wish at the very least to review their decision to go ahead and might decide to go back out until such a time as they had deployed sufficient offensive forces to insure penetration of such a thick U.S. system.

The effect of any actual ABM deployment on the outcome of the negotiations would depend on the scope and characteristics of the system, the timing of the negotiations, and the types of other armaments which would be involved in any agreement. After all, it would be some years before any U.S. ABMs would actually be deployed and several more years before any U.S. ABM system could be operational.

I hope the committee will realize that present circumstances may make it somewhat difficult for me to answer some of your questions in a fully responsible way.

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[7] Cf. *ante*, p. 4.

[8] The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465. For the U.N. resolution, see *ibid.*, pp. 431–432.

I am operating under three constraints. First, newness at the job—I have yet to receive my first paycheck. Second, I am a principal participant in the current presidential review of the ABM matter and therefore under certain wraps. Third, I expect to have a role in strategic arms limitation negotiations which I believe are upcoming and as such should try not to telegraph our present thinking about negotiations to the Soviet Union. But I do appreciate the importance of better public understanding of this very important issue facing the United States and, subject to the above constraints, I will do my best to be a responsive witness.

Mr. Chairman, that completes my prepared statement.

Report by the Senate Foreign Relations Committee on the Nonproliferation Treaty, March 6, 1969 [1]

The Committee on Foreign Relations, to which was referred the Treaty on the Nonproliferation of Nuclear Weapons, signed in Washington on July 1, 1968 (Ex. H, 90th Cong., second sess.),[2] having considered the same, reports favorably thereon without reservation and recommends that the Senate give its advice and consent to ratification thereof.

I. Purpose and Background of the Treaty

The treaty's fundamental purpose is to slow the spread of nuclear weapons by prohibiting the nuclear weapon states which are party to the treaty from transferring nuclear weapons to others, and by barring the nonnuclear-weapon countries from receiving, manufacturing, or otherwise acquiring nuclear weapons. As such, this treaty represents an important effort to lift the threat of adding new and fearful dimensions to international tensions and disputes through the spread of what has been called the seeds of a hundred crises.

In the years since Hiroshima, the United States and the Soviet Union as the major nuclear powers have gradually come to the realization that the technological triumphs of their own nuclear weapons programs were not beyond the reach of even the poor nations of the world. The search for new sources of commercial power has brought in its wake an ever-increasing potential for destruction. Dr. Glenn T. Seaborg, Chairman of the Atomic Energy Commission, told the committee of the world's growing nuclear capacity:

> * * * In several more years the nuclear plants in operation in nonnuclear-weapons countries will be producing enough plutonium to make hundreds of bombs each year. The amount of material that will be produced would be sufficient, if diverted to the production of nuclear weapons, to level many cities and destroy much of humanity. * * *[3]

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[1] S. Ex. Rept. 91–1, 91st Cong., 1st sess. For the previous report by the Committee on the nonproliferation treaty, see *Documents on Disarmament, 1968*, pp. 642–667. On Mar. 13, 1969, the Senate gave its advice and consent to ratification, by a vote of 83 to 15.

[2] *Documents on Disarmament, 1968*, pp. 461–465.

[3] *Ibid.*, p. 517.

Dr. Seaborg's comment in 1966 on the process of separating weapons-grade plutonium from the plutonium produced in civil power reactors is worth recalling:

> * * * it is perfectly feasible to build a clandestine chemical-processing plant using readily available technology and equipment.[4]

Given this burgeoning capability of so many nations to build nuclear weapons, the U.S. efforts to curtail the spread of nuclear weapons and skills have become increasingly more serious and urgent. In 1964 in his first message to the Geneva Disarmament Conference, President Johnson proposed an international agreement designed "to stop the spread of nuclear weapons to nations not now controlling them"; and to guarantee "that all transfers of nuclear materials for peaceful purposes take place under effective international safeguards." [5] After 4½ years of steady effort, the U.S. Government has reached an agreement on the Nonproliferation Treaty with two other nuclear weapon states—the Soviet Union and Great Britain—that has thus far been signed by over 80 other states.

The treaty is a recognition by nuclear as well as nonnuclear signatories of a common interest in building barriers to the very real threat of mutual annihilation inherent in any increase in the number of countries controlling the use of nuclear weapons. As nuclear weapons spread around the world, whether to responsible or irresponsible powers, so will the danger increase that they might be used, and the major powers drawn into a crisis involving nuclear arms.

The treaty also represents recognition on the part of the nuclear weapon states which have signed the treaty of a responsibility to those nations which are now being asked to deny to themselves that which the United States and the Soviet Union consider essential to their security. The compensation for such an important act of national self-denial is the pledge of nuclear weapon states to make available to the non-nuclear-weapon states,which are signatories, the benefits of peaceful nuclear programs, and to halt, through the limitation and eventual elimination of the world's nuclear armories, the nuclear arms race that threatens the very existence of all nations.

As noted below, Senate consideration of the treaty has bridged a change of administration. Consequently, the Treaty on the Nonproliferation of Nuclear Weapons was considered and subsequently endorsed by President Nixon. In his letter of February 5, 1969, to the Senate, President Nixon said:

> After receiving the advice of the National Security Council, I have decided that it will serve the national interest to proceed with the ratification of the Treaty on Nonproliferation of Nuclear Weapons. Accordingly, I request that the Senate act promptly to consider the treaty and give its advice and consent to ratification.[6]

Thus this report of the Committee on Foreign Relations is a blending of the testimony of two administrations. What has been note-

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[4] *Nonproliferation of Nuclear Weapons: Hearings Before the Joint Committee on Atomic Energy, Congress of the United States, Eighty-ninth Congress, Second Session, on S. Res. 179*, pp. 61–62.
[5] *Documents on Disarmament, 1964*, p. 8.
[6] *Ante*, p. 33.

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worthy in comparing the views of these two administrations has been the consistency of approach and interpretation. For example, the new Secretary of State, William P. Rogers, in referring to technical issues raised by the treaty made the following statement on February 18 before the committee:

> Mr. Chairman, the fact that I have referred explicitly to certain prior U.S. statements this morning but not to others should, of course, not be taken as in any way altering or denying the positions reflected in such other statements. *This administration has considered the many technical issues raised by this treaty and we find ourselves in complete agreement with the positions previously taken by the United States.*[7]

II. Substance of the Treaty

[NOTE: COMMITTEE COMMENTS ON THE FOLLOWING ARTICLES WILL BE FOUND IN PARTS III AND IV OF THIS REPORT]

The treaty consists of a preamble and 11 articles.

Articles I and II

Articles I and II state the basic obligations of the parties with regard to the transfer of nuclear weapons and skills. Article I prohibits the nuclear-weapon states bound by the treaty from transferring to any possible recipient nuclear weapons or nuclear explosive devices and from assisting the nonnuclear-weapon states in manufacturing or otherwise acquiring nuclear weapons. [A nuclear-weapon state is defined by article IX, paragraph 3, as one which has "manufactured and exploded a nuclear weapon or other nuclear explosive devices prior to January 1, 1967."]

Article II obliges the parties that are not nuclear-weapon states not to receive nuclear weapons or other nuclear weapons explosive devices from any source whatsoever. Furthermore, it obliges them not to manufacture their own weapons or devices, or solicit or accept assistance in their manufacture.

The former Secretary of State, Dean Rusk, stressed in his testimony before the committee on July 10, 1968 that the prohibitions in articles I and II will in no way inhibit the United States from meeting its responsibilities under existing nuclear weapons arrangements within the Western alliance, from deploying its nuclear forces around the world, or from transferring nuclear weapons or control over them in a war situation. He said, of the key articles I and II:

> The treaty deals only with what is prohibited, not with what is permitted. It prohibits transfer to any recipient whatsoever of nuclear weapons or control over them, meaning bombs and warheads. It also prohibits the transfer of other nuclear explosive devices, because a nuclear explosive device intended for peaceful purposes can be used as a weapon or can be easily adapted for such use. It does not deal with, and therefore does not prohibit, transfer of nuclear delivery vehicles or delivery systems, or control over them to any recipient, so long as such transfer does not involve bombs or warheads. It does not deal with allied consultations and planning on nuclear defense so long as no transfer of nuclear weapons or control over them results. It does not deal with arrangements for deployment of nuclear weapons within allied territory as these do not involve any transfer of nuclear weapons or control over them unless and until a decision

[7] *Ante*, p. 38.

were made to go to war, at which time the treaty would no longer be controlling. And, it does not deal with the problem of European unity, and would not bar succession by a new federated European state to the nuclear status of one of its former components * * *[8]

This interpretation was reiterated by Secretary of State Rogers.

General Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, in his testimony of February 20, 1969, underlined the compatibility of the pending treaty with the security interests of the United States and its allies.

General Wheeler stated in regard to the basic obligations assumed by the United States under this treaty:

The nonproliferation treaty—

Does not operate to the disadvantage of the United States and our allies.

Does not disrupt any existing defense alliances in which the United States is pledged to assist in protecting the political independence and territorial integrity of other nations.

Does not prohibit deployment of U.S. owned and controlled nuclear weapons within the territory of our nonnuclear NATO Allies.

Does not prohibit the United States from using nuclear weapons in any situation wherein nonuse of nuclear weapons would be inconsistent with U.S. security interests.[9]

As a practical matter, it should be noted that, although U.S. statutes have forbidden the transfer of nuclear weapons to other states or associations of states, this prohibition was heretofore a national decision subject to revision of U.S. law. The pending treaty will turn this self-imposed limitation into an international obligation that can be revised only by the process of amending the treaty, by U.S. withdrawal from the treaty, or by a war situation. For example, it has long been the U.S. position not to transfer nuclear weapons to any European federation. Heretofore, this position could have been changed by the President and the Congress; if the pending treaty comes into force there will be another, perhaps insurmountable, obstacle to any such change.

Article III

Under article III the International Atomic Energy Agency (IAEA) is vested with the responsibility of verifying that the nonnuclear weapon countries will not divert nuclear facilities and materials from peaceful purposes to the production of nuclear weapons. This verification would be in accord with the Statute of the International Atomic Energy Agency and the Agency's safeguards system.

The first paragraph of article III states that "each nonnuclear-weapon State Party to the Treaty undertakes to accept safeguards, as set forth in agreement * * * with the International Atomic Energy Agency." The International Atomic Energy Agency safeguards required by this article "shall be applied on all source or special fissionable material in all peaceful nuclear activities within the territory of such State, under its jurisdiction, or carried out under its control anywhere."

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[8] *Documents on Disarmament, 1968*, p. 495.
[9] *Nonproliferation Treaty: Hearings*, pt. 2, p. 385.

Mr. William C. Foster, former Director of the Arms Control and Disarmament Agency during the 90th Congress pointed out to the committee that article III does not require safeguards on the peaceful nuclear activities of nuclear-weapon states. [Military or defense facilities of the nuclear-weapon states are exempted from these provisions of the treaty.] Mr. Foster said that the fact that article III does not require safeguards on the peaceful nuclear activities of nuclear weapon states was commented on by many of the nonnuclear weapon states. He said that it proved impossible to negotiate such arrangements within the treaty itself. Therefore, the United States, in order to dispel any claims that the treaty was discriminatory in the peaceful nuclear activities field, volunteered to accept safeguards on its peaceful nuclear activities although the treaty does not call for such an obligation.[10] President Johnson, on December 2, 1967, announced that—

> when such safeguards are applied under the Treaty, the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, excluding only those with direct national security significance.[11]

In his message to the Senate of February 5, President Nixon renewed the earlier pledge on safeguards for the peaceful nuclear activities of the United States:

> In submitting this request [for the Senate's "prompt consideration and positive action of this Treaty"] I wish to endorse the commitment made by the previous Administration that the United States will, when safeguards are applied under the Treaty, permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, exclusive of those activities with direct national security significance.[12]

This offer prompted Senator Williams of Delaware to inquire whether this offer will—

> * * * handicap us in view of the fact that apparently Russia could inspect our plants where we would not be able to inspect the extent of development of hers.[13]

Secretary Rusk in 1968 replied that installations which have a national security function would, of course, not be subject to inspection. The Secretary then went on to say:

> Then, too, under the arrangements now in force by the International Atomic Energy Agency, the International Atomic Energy Agency arranges for inspectors that are acceptable and agreeable to the country that is going to be inspected in terms of—as you know, sir, we have opened certain of our facilities to these arrangements and we have not detected any handicaps arising from these arrangements.[14]

The former Director of the Arms Control and Disarmament Agency, Mr. Foster, was asked whether the International Atomic Energy Agency, under the terms of the treaty, could search out clandestine or undeclared nuclear facilities in a nonnuclear weapon country party to the treaty. Mr. Foster said that the existence of such a clandestine facility would be a clear breach of the treaty and that, although there

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[10] *Documents on Disarmament, 1968*, pp. 500–501.
[11] *Ibid., 1967*, pp. 613–615.
[12] *Ante*, p. 33.
[13] *Nonproliferation Treaty: Hearings*, pt. 1, p. 33.
[14] *Ibid.*, p. 34.

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is no provision in the treaty for searching out violations, there would be great international alertness to the possibility of such a violation.[15]

The Chairman of the Atomic Energy Commission, Dr. Seaborg, was questioned at length on the role envisioned by the International Atomic Energy Agency under this treaty and the effectiveness of the International Atomic Energy Agency's safeguards.

Dr. Seaborg made a particularly important and pertinent point when he emphasized that the extension of the International Atomic Energy Agency safeguards to all nuclear facilities of the countries concerned represented one of the most significant accomplishments of the treaty. Dr. Seaborg, in 1968, commented on the progress the International Atomic Energy Agency had made since its organization in 1957 and then went on to say:

> As encouraging as this progress has been, however, IAEA safeguards have been applied to date only to projects receiving Agency assistance or to projects voluntarily placed under IAEA controls. They have not covered the entire nuclear programs of the countries concerned. Neither have many nations given up, through treaty commitment, the right or independence to make nuclear weapons. The treaty will serve to fill these gaps and it will represent an unprecedented advance in international, let alone nuclear, affairs.

As for the safeguards system itself, Dr. Seaborg remarked:

> * * * As a result of steady progress, the IAEA now has in operation an effective safeguards system that is suitable for application to a wide variety of peaceful nuclear activities. Moreover, as a result of steady efforts, a growing acceptance of such international safeguards has developed among various nations of the world. The safeguards which have been administered to date have done more than simply serve their immediate purpose of assuring that particular activities were not being used for military purposes. They have demonstrated that the techniques of international inspection are feasible and effective and are not considered an invasion of national sovereignty.[16]

In response to questions on the International Atomic Energy Agency's safeguards staff and the ability of the organization to expand, Dr. Seaborg stated:

> * * * The present IAEA safeguards staff, while modest in size, is in balance with the size of the workload for which the Agency has responsibility to date. We recognize that a major increase in the size of the Agency's staff will be required to meet the new responsibilities placed upon it by the treaty, and we do not underestimate the difficulty of the problem * * *[17]

To Senator Pastore's specific question whether it was reasonable to assume that—

> once this treaty comes into being that there will be a concerted effort to improve the adequacy and competency and staffing of the International Agency's inspection force. Is that correct?

Dr. Seaborg replied:

> Very definitely. The staffing would go up, there would be a large increase in the number of professional and support personnel, and there would be an improvement, as they gain experience and gain numbers, in the efficacy of their inspection and their safeguards performance.[18]

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[15] *Ibid.*, p. 52.
[16] *Documents on Disarmament, 1968*, pp. 518–519.
[17] *Ibid.*, p. 520.
[18] *Nonproliferation Treaty: Hearings*, pt. 1, pp. 108–109.

The fourth paragraph of article III permits agreements with the International Atomic Energy Agency to be concluded by the nonnuclear-weapon states party to the treaty, either bilaterally or in association with other states. This provision raised the question of the relationship between the International Atomic Energy Agency's safeguards systems and the system already in operation within the Euratom community.

The Euratom safeguards system derives from the Treaty of Rome signed on March 25, 1957.[19] The members of this community are France, Italy, Belgium, the Federal Republic of Germany, Luxembourg, and the Netherlands. It has been the position of the members of Euratom that the Euratom safeguards system is comparable to the International Atomic Energy Agency's safeguards system and that to superimpose the International Atomic Energy Agency's system would therefore be an infringement of sovereignty. According to the treaty now pending, a safeguards agreement between the International Atomic Energy Agency and Euratom will meet the general requirements of article III. Negotiations for such an agreement shall commence within 180 days from the entry into force of the treaty and shall be concluded not later than 18 months after the initiation of negotiations.

Both Secretaries of State and Chairman Seaborg were optimistic that an agreement between the International Atomic Energy Agency and Euratom could be concluded without jeopardizing the institutional integrity of Euratom and with the acquiescence of the French Government which might be in a position to obstruct any agreement between IAEA and Euratom.

Additional questions were raised during the 1969 hearings concerning the possibility of an international misunderstanding as to how the United States will define its responsibilities under article III in dealing with nonsignatories in the field of peaceful nuclear activities.

The possibility of misunderstanding arises from a comparison of two paragraphs of article III. The second paragraph of article III prohibits the provision by any of the parties to the treaty of (a) source or special fissionable material or (b) equipment or material especially designed or prepared for the processing, use or production of special fissionable materials, *to any nonnuclear weapon state for peaceful purposes, unless the source or special fissionable material shall be subject to the safeguards required by article III*. The safeguards referred to in this paragraph are described in the first paragraph of Article III. This paragraph provides that safeguards shall be applied on all source or special fissionable material *in all peaceful nuclear activities within the territory, jurisdiction or control of non-nuclear-weapon parties.* The safeguards are to be as set forth in agreements to be negotiated and concluded with the International Atomic Energy Agency (IAEA) in accordance with the Statute of the IAEA[20] and the IAEA safeguards system.

What *is* clear from a comparison of the first two paragraphs of article III is that *any* nonnuclear state, whether party to the treaty

[19] *American Foreign Policy: Current Documents, 1957*, pp. 518–573.
[20] *Ibid., 1956*, pp. 915–933.

or not, may receive nuclear material or equipment from a signatory as long as the source or special nuclear material shall be subject to the safeguards required in the first paragraph.

What *is not* clear is whether the all-inclusive safeguards agreements described in the first paragraph apply to nonsignatories as well as signatories.

The provisions of the first paragraph of article III require that non-nuclear signatories to the treaty must place *all* of their peaceful nuclear facilities under international safeguards. The possibility of misunderstanding arises when it is noted that according to article III paragraph two a nonsignatory may receive assistance from a signatory if the nuclear materials are subject to "the safeguards required in article III"; but the only safeguards defined in article III apply only to signatories and bring *all* the nuclear facilities of these signatories under international inspection. This fact leaves unclear whether the requirement for placing all peaceful nuclear activities under safeguards applies to non-signatories as well as those countries who sign the treaty.

It is the interpretation of both administrations in considering these two paragraphs of article III that "The Treaty would not prevent the transfer of nuclear material or equipment to nonparties if the nuclear material, or that used or produced in such equipment, would be made subject to the safeguards required by article III." [21] The Executive Branch therefore has taken the position that the "safeguards required under article III" when applied to nonparties to the treaty refer only to the nuclear material or equipment transferred and *not* to all nuclear facilities as required of states who sign the treaty.

At issue here is the question of future nuclear benefits for states deciding not to sign the Nonproliferation Treaty; and, more fundamentally, an important element in the process of the decision of non-nuclear states as they consider whether to sign or not. If such states were confident that they could continue to receive important nuclear material assistance from the nuclear powers (such as promised to signatories under articles IV and V) even if they refuse to sign the treaty, this assurance would certainly not serve as an inducement to sign the treaty.

Article III also raises the possibility that in the event that such countries as the Federal Republic of Germany, Japan, and Israel do not come to an agreement with the International Atomic Energy Agency before the treaty enters into force the United States would be precluded from transferring to any such states nuclear materials for peaceful purposes. Administration witnesses took the position that nuclear weapon states party to the treaty would be subject to an undertaking not to provide nuclear material to any non-nuclear-weapon state for peaceful purposes unless the material was subject to safeguards resulting from an agreement with the IAEA. The United States was confident that no such situation would develop, according to the testimony before the committee. It was left unclear, however, how the United States would react if such a situation did develop.

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[21] *Documents on Disarmament, 1968*, p. 505.

Articles IV and V

Articles IV and V are designed primarily as compensation to the non-nuclear-weapon signatories for pledging not to acquire nuclear explosive devices even for peaceful purposes. Article IV contains an undertaking by all nuclear-weapon parties to the treaty to facilitate to the fullest extent possible the exchange of information, materials, and equipment for the peaceful uses of nuclear power. Article V provides assurances to the nonnuclear parties that they will share in the benefits of the peaceful application of nuclear-explosive devices. According to article V these nuclear devices would remain in the custody and control of a nuclear-weapon state, but would be made available "to non-nuclear-weapon states party to the treaty on a nondiscriminatory basis *and that the charge to such parties for the* explosive devices used will be as low as possible and exclude any charge for research and development."

Elaborating on the obligations the United States will assume under article V, Dr. Seaborg said:

> When particular applications are found to be feasible, we plan to make a nuclear-explosion service available on a commercial basis to domestic users and to non-nuclear-weapon parties to the Nonproliferation Treaty. Such a service would include the fabrication of the nuclear explosive device, its transportation from the assembly plant to the project site, its emplacement at the prepared site, and its arming and firing. The service would also include appropriate technical reviews of the proposed detonation, such as those relating to health and safety. The users of the service, whether it is furnished domestically or pursuant to article V, will pay for the service in accordance with rates established for its various elements. As I have already noted, the charges for the nuclear explosive devices used in furnishing the service will not include the cost of their research and development.[23]

Senator Aiken sought to clarify the economic responsibilities the United States would assume under this treaty; in particular whether article V could lead to an open-ended subsidy of international oil and mining companies which might seek free assistance on grounds that their explorations were research and developmental in nature. In a letter to Senator Aiken, dated February 14 [15], 1969, that is now included in the published hearing, Dr. Seaborg stated in behalf of the administration:

> • • • The negotiating record makes it clear that article V contemplates the performance of peaceful nuclear explosion services only for developed applications on a commercial basis. I should like to assure you that such services will be performed on the basis of full cost recovery, excluding only the charges for the general costs of research and development on nuclear-explosive devices (including our cumulative costs to date) since these costs have been and will be incurred in the furtherance of our own technical programs, much of them in the past development of nuclear weapons. All other costs of furnishing the explosion service, including, among other things, the full cost of all materials, the fabrication of the explosive devices, the costs emplacing and firing the device, and the appropriate overhead costs would be borne by the foreign user and not the Atomic Energy Commission.
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> • • • Article V of the treaty does not obligate the United States to undertake experimental peaceful nuclear explosions abroad. In most cases, this experimental program will be conducted within the United States. In a few cases, however, it may be in our programmatic interest, although not required by the treaty, to carry out an experiment overseas in collaboration with another nation.
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> • • • Any research and development project that we might wish to conduct would have to be considered and evaluated, on a case-by-case basis, in terms of

[23] *Ibid.*, p. 523.

its programmatic interest to the Commission and our financial contribution to any such project would be related to that interest.[22a]

Dr. Seaborg also said that the nuclear excavation projects envisioned under article V "could not be executed within the present restrictions of the limited test ban treaty as presently interpreted; modification would be required to permit the United States to provide the nuclear explosion service for those projects." Thus, article V will probably create an international interest in an amendment to the limited test ban treaty.[23]

Senator Fulbright questioned Dr. Seaborg on the potential problem of reconciling our responsibilities under the treaty for providing nuclear explosive services with our obligations under the limited test ban treaty.[24] Dr. Seaborg was also asked whether countries which do not sign the Nonproliferation Treaty will be offered nuclear explosive services, and whether serious study has been given by the Atomic Energy Commission to the subject of possible ecological damage resulting from peaceful nuclear explosions.

On the point of possible conflict between the obligation to provide nuclear explosive services and the restrictions of the partial test ban treaty, Dr. Seaborg said this issue would be the subject of careful consideration and that the United States would certainly not conduct an experiment which would violate the partial test ban and its requirement that radioactive debris be kept within the "territorial limits of the state under whose jurisdiction or control such explosion is conducted." Dr. Seaborg responded to the question of providing peaceful nuclear services to nonsignatories by saying that such services would not be supplied under article V but would be part of our overall development program. In other words if it were in the best interest of the United States, the Atomic Energy Commission would enter into bilateral agreements to carry out our program of developing nuclear explosives for excavation projects. These experiments would be carried out, consistent with, but outside the framework of the Nonproliferation Treaty.

Dr. Seaborg said that the question of the ecological effects of nuclear excavation experiments would be given most careful consideration in the feasibility studies that must precede a commitment to carry out excavation projects.[25]

Article VI

Members of the committee gave close attention to the responsibility parties to the treaty will assume under article VI. This article commits the signatories "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date."

In considering article VI, Senators took note not only of President Nixon's statement of February 5, 1969, that "ratification of the Treaty at this time would advance this administration's policy of negotiation rather than confrontation with the U.S.S.R.," [26] but also former Presi-

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[22a] *Ante*, p. 36.
[23] *Nonproliferation Treaty: Hearings*, pt. 1, pp. 116–117.
[24] The limited test-ban treaty may be found in *Documents on Disarmament, 1963*, pp. 291–293.
[25] *Nonproliferation Treaty: Hearings*, pt. 2, pp. 315–317.
[26] *Ante*, p. 33.

dent Johnson's pledge in his address in June of 1968 before the General Assembly of the United Nations that "in keeping with our obligations under the treaty, we shall, as a major nuclear power, promptly and vigorously pursue negotiations on effective measures to halt the nuclear arms race and to reduce existing nuclear arsenals." [27]

Secretary of State Rogers and Secretary of Defense Laird were questioned at length by the committee as to how the obligations under article VI related to impending United States and Soviet decisions with regard to the nuclear arms race. In particular, the committee asked both Secretaries whether it would be in keeping with the spirit and intent of the Nonproliferation Treaty, as expressed in article VI, for the United States to defer any decision to deploy strategic defensive missile systems until all efforts have been exhausted to begin negotiations on an arms limitation agreement with the Soviet Union.

Secretary Rogers, while agreeing that the United States would undertake important commitments under article VI to pursue seriously and in good faith all efforts to limit the arms race, said he hoped that negotiations to that end would be initiated before the United States deployed a defensive missile system.[28] Secretary Laird stated that the security interests of the United States must dictate the pace of our deployment of offensive and defensive strategic missiles but recognized that article VI negotiations involve political as well as military questions.[29]

Articles VII–XI

Article VII makes clear that the treaty in no way affects the right to establish regional nuclear-free zones.

Article VIII establishes the procedures for amending the treaty and provides for a conference, 5 years after the treaty enters into force, to review the operation of the treaty.

Article IX designates the United States, the United Kingdom, and the Soviet Union as Depositary Governments, and provides that the treaty shall enter into force upon the deposit of instruments of ratification of the Depositary Governments and 40 other signatory states.

Article X

Any party to the treaty can withdraw from the treaty after giving 3 months' notice "if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country." This language is identical to that in the withdrawal clause of the Limited Test Ban Treaty. In giving the U.S. interpretation of this article, Gen. Earle G. Wheeler, Chairman of the Joint Chiefs of Staff, emphasized that the treaty will become immediately inoperative in case of general war. Moreover, General Wheeler said:

> I would think that if we detected serious violations of the treaty provisions, that is, regarding the proliferation of non-nuclear states that would be hostile to us, that we would be justified in examining our position and perhaps recommending to the President that we withdraw from the treaty.

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[27] *Documents on Disarmament, 1968*, p. 434.
[28] See *Nonproliferation Treaty: Hearings*, pt. 2, pp. 366–367.
[29] See *ibid.*, pp. 386–387.

General Wheeler did not make it clear whether the Joint Chiefs of Staff would make the same recommendation if the situation involved the proliferation of nuclear weapons to nonnuclear weapon states friendly to the United States. General Wheeler also said that the Joint Chiefs of Staff would also recommend withdrawal if there were a threat of impending war which would "find us at a substantial disadvantage in the strategic nuclear field." [30]

Article XI

Article XI provides that the English, Russian, French, Spanish, and Chinese texts of the treaty are equally authentic, and deals with the deposit of the original treaty instruments and the transmittal of certified copies to signatory and acceding states.

III. Committee Action

Although the treaty is primarily of a political nature, it also bears on technical questions relating to the field of atomic energy and international safeguard systems. For this reason, the Chairman of the Committee on Foreign Relations, after consultation with committee members, invited the Senate members of the Joint Atomic Energy Committee to sit with the Committee on Foreign Relations during the July 1968 hearings on the treaty.

The treaty was transmitted to the Senate by President Johnson on July 9, 1968. On July 10, the committee began a series of public hearings to explore the political, technological, and security implications of the treaty. On September 17, 1968, the committee, by a vote of 13 to 3, with three abstentions, recommended that the Senate give its advice and consent to ratification. Because the treaty did not receive final Senate action before the fall adjournment, it was rereferred to the committee in January.

On February 18 and 20, 1969, the committee took testimony on the treaty in public session from the new administration.

Without exception, all official witnesses both in the July and February hearings supported the treaty. These included the new and former Secretaries of State; the Secretary of Defense and the former Deputy Secretary of Defense; the Chairman of the Joint Chiefs of Staff; the Chairman of the Atomic Energy Commission; and former Director, Arms Control and Disarmament Agency, William C. Foster. The committee also heard the Honorable Chet Holifield, vice chairman of the Joint Committee on Atomic Energy, the Honorable Craig Hosmer, and the Honorable Paul Findley.

Representative Holifield strongly recommended the treaty without reservation to the Senate. Representative Hosmer favored approval of the treaty only with a number of conditions. Among them was the recommendation that the Senate reserve its consent to the treaty "pending establishment of IAEA safeguards procedures in which Treaty signatories may have reasonable confidence and the establishment of a sound system for financing same on a continuing basis." Representative Hosmer contended that at the present time the International Atomic Energy Agency does not have an effective safeguards

[30] *Ibid.*, pt. 1, p. 78.

system and that, moreover, the costs of this safeguards systems will be over $28 million in 1970 and will "escalate from there." He also suggested that:

> The Senate advise the President and the rest of the world that the security assurance is meaningful to the extent that we will be 'concerned to the utmost' if some country becomes the victim of nuclear aggression or blackmail, but that it is meaningless insofar as rushing to its rescue is concerned; and we apologize to anybody who got the wrong idea from what administration spokesmen have said.[31]

Dr. Strausz-Hupé, director of the Foreign Policy Research Institute at the University of Pennsylvania, testified against the treaty, arguing that it would be destructive to NATO.

Dr. Edward Teller of the Lawrence Radiation Laboratory and Chairman of the Divisional Advisory Group of the Air Force Space and Missiles Systems Organization, favored approval of the treaty with the following modification related to the development of anti-ballistic-missile defense systems. Dr. Teller stated:

> It seems to me, therefore, necessary to declare that weapons which are designed for defense and can be used for defense alone are in the interest of peace. That when and if such defensive systems are properly developed, the necessary steps will be taken to make them widely available for self-defense, and that this will be done even if it requires modification of existing laws or treaties.
>
> I, therefore, explicitly recommend that the Senate make it known that it looks with favor on the development of effective defensive systems, and that by ratifying the treaty the Senate does not intend to preclude the deployment of purely defensive arrangements, if and when these become available.[32]

A number of additional public witnesses testified after submitting requests to appear. A majority of these witnesses supported the treaty.

The invasion and occupation of Czechoslovakia occurred between the time the committee concluded its public hearings in July and the time the committee took final action in executive session on September 17, 1968. This issue and its relationship to the treaty became of great concern to the committee and was the subject of considerable discussion, particularly as to the appropriateness of approving the treaty while Czechoslovakia was occupied by Soviet troops.

The security guarantee resolution

One of the most important aspects of the Nonproliferation Treaty is not included in the treaty text. In June 1968 the United States, Great Britain, and the Soviet Union introduced a resolution in the United Nations Security Council, which was subsequently approved by the Council on June 19, giving security guarantees to the non-nuclear-weapons signatories of the Nonproliferation Treaty.[33]

The key paragraph in the declaration made in the Security Council by the United States in explanation of its vote for the resolution contains the following language:

> * * * any state which commits aggression accompanied by the use of nuclear weapons or which threatens such aggression must be aware that its actions *are to be countered effectively* by measures to be taken in accordance with the

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[31] See *ibid.*, p. 162 ff.
[32] *Ibid.*, p. 189.
[33] *Documents on Disarmament, 1968*, p. 444.

United Nations Charter to *suppress the aggression or remove the threat of aggression.*[34]

In considering the resolution and its relationship to the pending treaty the committee sought to determine whether the Security Council resolution and the U.S. declaration in explanation of its vote commit the United States to any additional responsibilities other than those already assumed under the United Nations Charter.

The committee wishes to make it unmistakably clear that it considers the Security Council resolution and the U.S. declaration as separate and distinct from the Nonproliferation Treaty. This resolution and the accompanying declaration, are solely executive measures. However, because these actions are linked politically to the treaty, the connection could convey the impression that approval of the treaty by the Senate also means approval of the Security Council resolution. For this reason, the committee wishes to make the record clear that support of the Nonproliferation Treaty is in no way to be construed as approval of the security guarantee measures embodied in the United Nations resolution or the supporting U.S. declaration. It is appropriate, however, for the committee to express its interpretation of the United Nations resolution on security guarantees, since the pledge and resolution bear upon the constitutional right of the Senate to approve formal security commitments by the United States and upon the constitutional right of the Congress to declare war.

The committee is constrained to point out that, in its view, this United Nations resolution and its accompanying declaration in no way involve a ratification of prior commitments or establish new commitments. In the event that action is contemplated by the United States, by reason of its declaration in the Security Council, such action can only be taken with due regard to proper constitutional processes.

The committee is confident that this point was made clear by the testimony. The Secretary of State told the committee that "as a matter of law and as a matter of policy" there were no additional obligations assumed by the United States under the United Nations security guarantee resolution. Mr. Rusk said that any action the United States would take as a result of United Nations decisions under the security guarantee resolution would not be taken by the United States because of any new obligations assumed under the resolution. Mr. Rusk then underlined this point:

> The decision itself [to act on any Security Council decision] would have to be made at the time in terms of the total interests of the United States and the judgment of the President, in consultation with leaders of the Congress, as to what is required in our own interests at that time.[35]

In response to a direct question, Secretary Rusk agreed with the interpretation offered by Senator Case of New Jersey that the pending treaty would in no way "eliminate the necessity for adoption of whatever constitutional processes may be applicable in the event the question arises as to the use of the Armed Forces of the United States in the future." [36]

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[34] *Ibid.*, p. 440.
[35] *Nonproliferation Treaty: Hearings*, pt. 1, p. 15.
[36] *Ibid.*, p. 17.

The committee, therefore, records its firm conclusion, reached after extensive testimony, that the Security Council resolution and security guarantee declaration made by the United States in no way either ratify prior *national* commitments or create new commitments.

Under normal charter procedures, the United States had the *option* of calling the attention of the Security Council to a case of aggression or threat of aggression. Now that option has apparently become an *obligation*. The United States has also had the option of determining the timing of such an appeal to the Security Council. It now appears that the United States is honor bound to follow a definite if limited course of action if a nonnuclear weapon state declares that it is a victim of nuclear aggression or the threat of such aggression. Under the *security guarantee pledge, the administration* has expressed its intention to seek "immediate" Security Council "action" to aid a nonnuclear weapon state that is the victim or potential victim of nuclear aggression.

The change here is a subtle one that has no bearing on the committee's judgment that the Senate's approval of the treaty is not to be construed as approval or disapproval of the administration's security guarantee measures, or the committee's further judgment that these actions in no way either ratify prior national commitments or create new commitments. The committee only wishes to point out that in its view the administration has surrendered some of its diplomatic flexibility in hopes of creating a framework for United States-Soviet cooperation in the United Nations. If this cooperation develops and matures the Security Council gesture will be worth the costs in diplomatic flexibility.

National security considerations

The Chairman of the Joint Chiefs of Staff, General Wheeler, testified as to whether the views of the Joint Chiefs of Staff were taken into account during the treaty negotiations. General Wheeler was also asked whether the treaty fully safeguards our national security interests. General Wheeler offered this comment on the treaty and its effect on national security:

> At the initiation of treaty discussions, the Joint Chiefs of Staff formulated certain principles relating to national security that should not be violated by such a treaty. First, we believe that any international agreement on the control of nuclear weapons must not operate to the disadvantage of the United States and our allies. Secondly, it must not disrupt any existing defense alliances in which the United States is pledged to assist in protecting the political independence and territorial integrity of other nations. These principles have been observed. * * *

General Wheeler went on to state that the Joint Chiefs of Staff were unanimous in supporting the treaty. It should also be noted that General Wheeler said that every proposal concerning the treaty made by the Joint Chiefs of Staff during negotiations was accepted.[37]

Obligations to allies

The committee expressed concern during the hearings at the possible effects of the treaty on the U.S. security arrangements, particu-

[37] *Documents on Disarmament, 1968*, p. 514.

larly within NATO. At the same time, the committee sought to ascertain whether the United States, either explicitly or by suggestion, was considering offering inducements to any country to sign the treaty.

Secretary Rogers, Secretary Laird, and General Wheeler reiterated the statements of the previous administration that the treaty is consistent with the best interests of the North Atlantic Treaty Organization. Secretary Rusk said that the United States had worked closely with its allies in the formulation of the treaty and that our allies were fully satisfied that the treaty in no way would jeopardize the alliance or the individual national interests of its members.[38]

The committee agrees with this evaluation. The committee also wishes to make the record unmistakably clear that the treaty in no way affects the right of the United States to enter into agreements to station nuclear weapons under U.S. control on the soil of an ally.

Nevertheless, this treaty does represent a potential cost to the United States in its alliance relationships. Heretofore, it was a national decision whether the United States would use its nuclear assets in helping one or more countries to develop nuclear weapons. Admittedly, this was an option the United States never used except in the case of Great Britain; but it was an option subject only to a decision of the executive branch and the Congress. Now we have all but given up that option in the sense that this treaty imposes a formidable barrier to the United States assisting other countries in the development of nuclear-weapons programs. Nevertheless, the committee believes that the possible future costs of renouncing this option are overshadowed by the major step the treaty takes in the direction of controlling the spread of nuclear weapons.

After extensive testimony on the subject of possible inducements offered to sign the Nonproliferation Treaty, the committee concludes that the administration has no intention of making any commitment to any potential nonnuclear weapon signatory to induce that country to sign the treaty. For example, former Deputy Secretary of Defense Nitze flatly told the committee that the United States has given the Federal Republic of Germany no guarantee to defend that country against nuclear attack even if NATO should be dissolved.[39] (However, former Secretary Rusk made it clear that, if NATO were to dissolve, this fact might be taken by nonnuclear NATO members as affecting their supreme national interest and therefore justifying their withdrawal under the withdrawal article.) Moreover, the committee was told that the Federal Republic of Germany has not suggested that the continued stationing of any particular level of American troops in Europe is related to its attitude toward adhering to the treaty.[40]

Adherence to the treaty

Administration witnesses were questioned at length both in July and February on the attitudes of nonnuclear weapon states toward the treaty. Last July the former Secretary of State stated that the administration was asking for prompt Senate action on the treaty "because many countries, particularly our allies, are waiting to see

[38] *Ibid.*, p. 495.
[39] *Nonproliferation Treaty: Hearings*, pt. 1, p. 80.
[40] *Ibid.*, pp. 42–43.

what we do before starting their own parliamentary consideration of the treaty. We recognize that the effectiveness of the treaty will depend in large measure upon the adherence of other countries. But we have been among the leaders in securing agreements on this treaty, and other countries are looking to us now." [41]

The committee agrees that the effectiveness of the treaty will depend largely on the adherence of the widest possible number of countries. It also notes how few states with the technological and economic means to develop nuclear weapons have thus far signed the treaty, and it hopes that Senate approval of the treaty will encourage other nations to adhere to the treaty.

The committee expresses the opinion that this treaty is of such significance that the administration should endeavor to arrange for the major nuclear powers to deposit their instruments of ratification contemporaneously, thus emphasizing the historic nature of the event and avoiding insofar as possible misunderstandings which might otherwise arise.

Article III

It is in the context of the problem of gaining the widest possible adherence to the treaty that the committee records its interpretation of article III.

One interpretation of article III would seem to demand that a country that neither signs the treaty nor extends international safeguards to all its nuclear facilities should be denied all forms of peaceful nuclear assistance from signatories such as the United States. Alternately, there is a less rigid interpretation of article III that a nonsignatory can continue to receive nuclear aid if the material and equipment provided by a signatory is covered by international safeguards.

The committee appreciates the administration's uneasiness about any suggestion that the United States should adopt a hard and fast policy of nuclear embargo on nonsignatories. Such a policy could destroy the very incentives to adherence to the treaty that the United States wishes to encourage. To stimulate nuclear autarky by a rigid application of the very means designed to encourage international cooperation in the nuclear field is obviously not the intent of the Nonproliferation Treaty.

It is the view of the committee that the treaty does not obligate nuclear-weapons states to treat nonnuclear signatory and nonsignatory states on the same basis. Neither does the treaty require that preferences be given to signatory nonnuclear states. As a practical matter, however, it is the view of the committee that the nuclear powers should be most reluctant to treat nonsignatory states on the same basis as signatory states, despite the fact that the treaty does not prohibit such action.

The benefits and services to nonsignatories should surely be far less than those accruing to those countries who decide to sign the treaty. By any standard it would be consistent with the intent of the treaty

[41] *Documents on Disarmament, 1968*, p. 497.

to be more willing to provide, for example, assistance in the nuclear excavation field to a signatory country as it becomes available rather than to a nonsignatory. Similarly, the United States should be more willing to extend its assistance in the nuclear desalting field to signatories of the treaty rather than to those countries who decide not to sign.

It is the view of the committee, therefore, that the application of article III should be handled with a carefully considered appreciation of what will encourage states to adhere and what will encourage them to abstain.

IV. Concluding Comments

The committee finds that this treaty is the best that can be negotiated at this time.

Essentially, the treaty formalizes the mutual concern of the United States, Great Britain, and the Soviet Union in containing the spread of nuclear weapons. The United States, Great Britain, and the Soviet Union appear to have a sober understanding of the increased dangers of nuclear war that would come as more and more nations possess nuclear weapons. They appear to be convinced that the treaty will not adversely affect the balance of power. They seem persuaded of the advantages of establishing a framework for cooperation that will hopefully lead to a reduction of the hazards and uncertainties that many nonnuclear weapon countries feel as nuclear commercial power and its potentially destructive byproduct of plutonium spread throughout the world. They have given a pledge of good faith in seeking agreements that would limit nuclear arms competition between the major powers.

The committee is fully aware of the mutual responsibilities the nuclear weapon states party to the treaty have assumed to move to negotiate the means of limiting, if not ending, the nuclear arms race. The committee is equally aware that the United States has assumed this responsibility by asking other nations not to follow our example. It is in this sense, and this sense alone, that the committee believes that the word "commitment" is appropriate to this treaty—a commitment to pursue with good faith and urgency new arms limitation agreements.

The extensive discussion of article VI during the hearings is an index of deep concern of members over the implications of an escalating arms race. The committee believes this treaty comes at a moment when both the United States and the Soviet Union are at national crossroads with respect to the arms race. Decisions facing both countries in the area of strategic offensive and defensive missiles are of vital importance not only to the peace and security of the world but to the successful implementation of the Nonproliferation Treaty.

In order to give effect to article VI, the committee believes that the administration should consider deferring the deployment of these weapons until it has had time to make an earnest effort to pursue meaningful discussions with the Soviet Union.

The committee is also aware of potential problems regarding the interpretation of U.S. obligations under article V. As mentioned,

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article V gives assurances to the nonnuclear weapon states that they will share on a nondiscriminatory basis in the benefits of the peaceful application of nuclear explosive devices. The language of this article suggests that the United States will provide these services to any nonnuclear weapon state party to the treaty regardless of its relationship to the United States, with all costs for research and development borne by the U.S. taxpayer. Another potential problem is that the language of article V might be interpreted as a positive commitment to provide explosive services for research and development projects that further the commercial interests of domestic and international customers—such as oil and gas companies—without regard to the relationship and importance of these projects to the U.S. public interest.

After weighing additional testimony on article V taken in February, the committee wishes to record its satisfaction with the assurances and commitments of the administration, particularly the Atomic Energy Commission, that article V will not result in an open-ended subsidy to commercial interests. The committee is satisfied that the U.S. responsibilities under article V will be carried out on a full-cost recovery basis and projects under article V will be undertaken only when the best interest of the United States is clearly evident.

The administration has provided the committee with a definition of what constitutes "source or special fissionable material" under the Nonproliferation Treaty, and specifically whether either of these terms would apply to radioisotopes used for medical purposes. This information has been printed with the hearings.

It is the understanding of the committee on the basis of this information that no radioisotopes used for medical treatment or diagnosis would come within the definition of materials covered under the IAEA safeguard system.

Admittedly, the implementation of the treaty raises uncertainties. The reliability and thereby the credibility of international safeguards systems is still to be determined. No completely satisfactory answer was given the committee on the effectiveness of the safeguards systems envisioned under the treaty. Moreover, the committee was not given a completely satisfactory answer as to what the signatory nations will do if the International Atomic Energy Agency fails to work out mutually satisfactory agreements with individual states or associations of States within the time prescribed by the treaty. The committee hopes that the optimism of the administration will be borne out and that successful agreements with the IAEA will be concluded without difficulty or delay. Nevertheless, the committee notes that the Euratom States have unanimously agreed that the treaty will only be ratified after a satisfactory verification agreement has been reached between Euratom and the IAEA.

The committee is fully aware of the potential problems in the safeguards field. But it is equally convinced that when the possible problems in reaching satisfactory safeguards agreements are carefully weighed against the potential for a worldwide mandatory safeguards

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system, the comparison argues strongly in favor of the present language of the treaty.

It is also the view of the committee that the nuclear powers in providing peaceful nuclear explosive services abroad should require those services to be carried out within the framework of the treaty and subject to appropriate international observation. The committee believes that the IAEA would be an appropriate body to provide that observation.

The committee notes but does not comment or pass on the constitutional appropriateness of announcements by both former President Johnson and President Nixon that the United States will permit the International Atomic Energy Agency to apply its safeguards to all nuclear activities in the United States, exclusive of those activities with direct security significance.[42]

After full consideration of the security and political implications, the committee concludes that the treaty is in the best interests of the United States. The committee is mindful, however, that this treaty is certainly no cure-all to the problems of nuclear proliferation. The success of the agreement will depend on its wide acceptance particularly by those countries with the national capability to manufacture nuclear weapons. Success will also depend on the acceptance and credibility of the safeguards provisions.

The committee is also mindful of the tragic events in Czechoslovakia and of the flagrant violation of international law by the Soviet Union.

During committee discussion of the treaty in September several members took the position that, while they supported the treaty, they believed the committee should defer final consideration because of Soviet behavior. Weighted against this desire to express displeasure with the Soviet Union was the prevailing view that, while the Soviet actions were unconscionable, the treaty itself is multilateral in character and of such significance as a potential barrier to the further spread of nuclear weapons that any delay in taking final committee action was inadvisable. The committee (by a vote on September 17 of 13 to 3 with 3 abstentions) then recommended that the Senate give its advice and consent to ratification of the treaty.

When the committee considered the treaty in February of 1969 the view again prevailed that while the Soviet action warranted continuing condemnation, the prompt ratification of the treaty was in the national interest.

In conclusion the committee believes that the Nonproliferation Treaty represents an important beginning in controlling the further spread of nuclear weapons, although it will remain only a fervent affirmation of good intentions until the signatories move swiftly to achieve a cessation of the nuclear arms race.

Therefore, the committee (by a vote on February 25, 1969, of 14 to 0 with 1 present) recommends that the Senate give its advice and consent to ratification of the pending treaty.

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[42] *Ibid., 1967*, pp. 613–615; *ante*, p. 33.

News Conference Remarks by President Nixon on Ballistic Missile Defense System [Extracts], March 14, 1969 [1]

Ladies and gentlemen, today I am announcing a decision which I believe is vital for the security and defense of the United States, and also in the interest of peace throughout the world.

Last year a program, the Sentinel antiballistic missile program, was adopted. That program, as all listeners on television and radio and readers of newspapers know, has been the subject of very strong debate and controversy over the past few months.

After long study of all of the options available, I have concluded that the Sentinel program previously adopted should be substantially modified. The new program that I have recommended this morning to the leaders, and that I announce today, is one that perhaps best can be described as a safeguard program.

It is a safeguard against any attack by the Chinese Communists the we can foresee over the next 10 years.

It is a safeguard of our deterrent system, which is increasingly vulnerable due to the advances that have been made by the Soviet Union since the year 1967 when the Sentinel program was first laid out.

It is a safeguard also against any irrational or accidental attack that might occur of less than massive magnitude which might be launched from the Soviet Union.

The program also does not do some things which should be clearly understood. It does not provide defense for our cities, and for that reason the sites have been moved away from our major cities. I have made the decision with regard to this particular point because I found that there is no way, even if we were to expand the limited Sentinel system which was planned for some of our cities to a so-called heavy or thick system—there is no way that we can adequately defend our cities without an unacceptable loss of life.

The only way that I have concluded that we can save lives, which is the primary purpose of our defense system, is to prevent war, and that is why the emphasis of this system is on protecting our deterrent, which is the best preventive for war.

The system differs from the previous Sentinel system in another major respect. The Sentinel system called for a fixed deployment schedule. I believe that because of a number of reasons, we should have a phase system. That is why, on an annual basis, the new safeguard system will be reviewed, and the review may bring about changes in the system based on our evaluation of three major points.

First, what our intelligence shows us with regard to the magnitude of the threat, whether from the Soviet Union or from the Chinese; and, second, in terms of what our evaluation is of any talks that we are having by that time, or may be having, with regard to arms control; and finally, because we believe that since this is a new system, we should constantly examine what progress has been made in the development of the technique to see if changes in the system should be made.

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[1] *Weekly Compilation of Presidential Documents*, Mar. 17, 1969, pp. 400–405.

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I should admit at this point that this decision has not been an easy one. None of the great decisions made by a President are easy. But it is one that I have made after considering all of the options, and I would indicate before going to your questions two major options that I have overruled.

One is moving to a massive city defense. I have already indicated why I do not believe that is, first, feasible, and there is another reason: Moving to a massive city defense system, even starting with a thin system and then going to a heavy system, tends to be more provocative in terms of making credible a first-strike capability against the Soviet Union. I want no provocation which might deter arms talks.

The other alternative, at the other extreme, was to do nothing, or to delay for 6 or 12 months, which would be the equivalent, really, of doing nothing, or, for example, going the road only of research and development.

I have examined those options. I have ruled them out because I have concluded that the first deployment of this system, which will not occur until 1973, that that first deployment is essential by that date if we are to meet the threat that our present intelligence indicates will exist by 1973.

In other words, we must begin now. If we delay a year, for example, it means that that first deployment will be delayed until 1975. That might be too late.

It is the responsibility of the President of the United States, above all other responsibilities, to think first of the security of the United States. I believe that this system is the best step that we can take to provide for that security.

There are, of course, other possibilities that have been strongly urged by some of the leaders this morning—for example that we could increase our offensive capability, our submarine force, or even our Minuteman force or our bomber force. That I would consider to be, however, the wrong road because it would be provocative to the Soviet Union and might escalate an arms race.

This system is truly a safeguard system, a defensive system only. It safeguards our deterrent and under those circumstances can, in no way, in my opinion, delay the progress which I hope will continue to be made toward arms talks, which will limit arms, not only this kind of system, but particularly offensive systems.

. . . . . .

Q. Mr. President, there has been a great deal of criticism in Congress against deployment of any type of antimissile defense system. What kind of reception do you think your proposal this morning will receive there?

THE PRESIDENT. It will be a very spirited debate, and it will be a very close vote. Debates in the field of national defense are often spirited and the votes are often close. Many of my friends in Congress who were there before I was there remarked that the vote on extending the draft in 1941 won by only one vote.

This might be that close. I think, however, that after the Members of the House and the Senate consider this program, which is a mini-

mum program, and which particularly provides options to change in other directions if we find the threat is changed, or that the art has changed, our evaluation of the technique has changed, I think that we have a good chance of getting approval. We will, of course, express our views, and we hope that we will get support from the country.

Q. Mr. President, I understand that your first construction or deployment of antimissile systems would be around two Minuteman retaliatory operations. Do you think that deploying around these two provides enough deterrent that would be effective?

THE PRESIDENT. Let me explain the difference between deploying around two Minuteman bases and deploying around, say, 10 cities.

Where you are looking toward a city defense, it needs to be a perfect or near perfect system to be credible because, as I examined the possibility of even a thick defense of cities, I found that even the most optimistic projections, considering the highest development of the art, would mean that we would still lose 30 million to 40 million lives. That would be less—half of what we would otherwise lose. But we would still lose 30 million to 40 million.

When you are talking about protecting your deterrent, it need not be perfect. It is necessary only to protect enough of the deterrent that the retaliatory second strike will be of such magnitude that the enemy would think twice before launching a first strike.

It has been my conclusion that by protecting two Minuteman sites, we will preserve that deterrent as a credible deterrent, and that that will be decisive and could be decisive insofar as the enemy considering the possibility of a first strike.

. . . . . .

Q. Mr. President, your safeguard ABM system, I understand, would cost about $1 billion less in the coming fiscal year than the plan which President Johnson sent up. Will this give you the opportunity to reduce the surcharge or will the continued high level of taxation be needed for the economy?

THE PRESIDENT. That question will be answered when we see the entire budget. Secretary Laird will testify on the defense budget on Wednesday.

Incidentally, my understanding at this time, and I have seen the preliminary figures, is that the defense budget that Secretary Laird will present will be approximately $2½ billion less than that submitted by the previous administration.

Whether after considering the defense budget and all of the other budgets that have been submitted, we then can move in the direction of either reducing the surcharge or move in the direction of some of our very difficult problems with regard to our cities, the problem of hunger and others—these are the options that I will have to consider at a later time.

. . . . . .

Q. Mr. President, do you have reason to believe that the Russians will interpret your ABM decision today as not being an escalating move in the arms race?

THE PRESIDENT. As a matter of fact, Mr. Kaplow, I have reason to believe, based on the past record, that they would interpret it just the other way around.

First, when they deployed their own ABM system, and, as you know, they have 67 missile ABM sites deployed around Moscow, they rejected the idea that it escalated the arms race on the ground that it was defensive solely in character, and, second, when the United States last year went forward on the Sentinel system, four days later the Soviet Union initiated the opportunity to have arms limitation talks.

I think the Soviet Union recognizes very clearly the difference between a defensive posture and an offensive posture.

I would also point this out, an interesting thing about Soviet military and diplomatic history: They have always thought in defensive terms, and if you read not only their political leaders, but their military leaders, the emphasis is on defense.

I think that since this system now, as a result of moving the city defense out of it, and the possibility of that city defense growing into a thick defense, I think this makes it so clearly defensive in character that the Soviet Union cannot interpret this as escalating the arms race.

. . . . . .

Q. In any talks with the Soviet Union, would you be willing to consider abandoning the ABM program altogether if the Soviets showed a similar willingness or, indeed, if they showed a readiness to place limitations on offensive weapons?

THE PRESIDENT. Mr. Scali, I am prepared, in the event that we go into arms talks, to consider both offensive and defensive weapons. As you know, the arms talks, that at least preliminarily have been discussed, do not involve limitation or reduction. They involve only freezing where we are.

Your question goes to abandoning. On that particular point, I think it would take two, naturally, to make the agreement. Let's look at the Soviet Union's position with its defensive deployment of ABM's. Previously, that deployment was aimed only toward the United States. Today their radars, from our intelligence, are also directed toward Communist China.

I would imagine that the Soviet Union would be just as reluctant as we would be to leave their country naked against a potential Chinese Communist threat. So the abandoning of the entire system, particularly as long as the Chinese threat is there, I think neither country would look upon with much favor.

Q. Mr. President, do you think the deployment of the ABM system by both the Soviet Union and the United States is compatible with the aims of the NPT? [2]

THE PRESIDENT. I considered that problem, and I believe that they are compatible with the NPT. We discussed that in the leaders' meeting this morning and I pointed out that as we consider this kind of defensive system, which enables the United States of America to make its deterrent capability credible, that that will have an enormous effect

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[2] For the nonproliferation treaty, see *Documents on Disarmament, 1968*, pp. 461–465.

in reducing the pressure on other countries who might want to acquire nuclear weapons.

That is the key point. If a country doesn't feel that the major country that has a nuclear capability has a credible deterrent, then they would move in that direction.

One other point—I wish to make an announcement with regard to the NPT: that I was delighted to see the Senate's confirmation or consent to the treaty, and this announcement—I hope President Johnson is looking. I haven't talked to him on the phone. I am going to invite President Johnson, if his schedule permits, to attend the ceremony when we will have the ratification of the treaty, because he started it in his administration and I think he should participate when we ratify it.

. . . . . .

Q. What effect, if any, will your safeguard program have on the shelter program? Can you tell us anything about your long-range plans?

THE PRESIDENT. Congressman Holifield in the meeting this morning strongly urged that the administration look over the shelter program and he made the point that he thought it had fallen somewhat into disarray due to lack of attention over the past few years.

I have directed that General Lincoln, the head of the Office of Emergency Preparedness—I had directed him previously to conduct such a survey. We are going to look at the shelter program to see what we can do there in order to minimize American casualties.

. . . . . .

Statement by President Nixon on Ballistic Missile Defense System, March 14, 1969 [1]

Immediately after assuming office, I requested the Secretary of Defense to review the program initiated by the last administration to deploy the Sentinel Ballistic Missile Defense System.

The Department of Defense presented a full statement of the alternatives at the last two meetings of the National Security Council. These alternatives were reviewed there in the light of the security requirements of the United States and of their probable impact on East-West relations, with particular reference to the prospects for strategic arms negotiations.

After carefully considering the alternatives, I have reached the following conclusions: (1) the concept on which the Sentinel program of the previous administration was based should be substantially modified, (2) the safety of our country requires that we should proceed now with the development and construction of the new system in a carefully phased program, (3) this program will be reviewed annually from the point of view of (a) technical developments, (b) the threat, (c) the diplomatic context including any talks on arms limitation.

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[1] *Weekly Compilation of Presidential Documents*, Mar. 17, 1969, pp. 406–409.

The modified system has been designed so that its defensive intent is unmistakable. It will be implemented not according to some fixed, theoretical schedule, but in a manner clearly related to our periodic analysis of the threat. The first deployment covers two missile sites; the first of these will not be completed before 1973. Any further delay would set this date back by at least 2 additional years. The program for fiscal year 1970 is the minimum necessary to maintain the security of our Nation.

This measured deployment is designed to fulfill three objectives:

1. Protection of our land-based retaliatory forces against a direct attack by the Soviet Union.

2. Defense of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.

3. Protection against the possibility of accidental attacks from any source.

In the review leading up to this decision, we considered three possible options in addition to this program: a deployment which would attempt to defend U.S. cities against an attack by the Soviet Union: a continuation of the Sentinel program approved by the previous administration; and indefinite postponement of deployment while continuing research and development.

I rejected these options for the following reasons:

Although every instinct motivates me to provide the American people with complete protection against a major nuclear attack, it is not now within our power to do so. The heaviest defense system we considered, one designed to protect our major cities, still could not prevent a catastrophic level of U.S. fatalities from a deliberate all-out Soviet attack. And it might look to an opponent like the prelude to an offensive strategy threatening the Soviet deterrent.

The Sentinel system approved by the previous administration provided more capabilities for the defense of cities than the program I am recommending, but it did not provide protection against some threats to our retaliatory forces which have developed subsequently. Also, the Sentinel system had the disadvantage that it could be misinterpreted as the first step toward the construction of a heavy system.

Giving up all construction of missile defense poses too many risks. Research and development does not supply the answer to many technical issues that only operational experience can provide. The Soviet Union has engaged in a buildup of its strategic forces larger than was envisaged in 1967 when the decision to deploy Sentinel was made. The following is illustrative of recent Soviet activity:

1. The Soviets have already deployed an ABM system which protects to some degree a wide area centered around Moscow. We will not have a comparable capability for over 4 years. We believe the Soviet Union is continuing their ABM development, directed either toward improving this initial system, or more likely, making substantially better second-generation ABM components.

2. The Soviet Union is continuing the deployment of very large missiles with warheads capable of destroying our hardened Minuteman forces.

3. The Soviet Union has also been substantially increasing the size of their submarine-launched ballistic missile force.

4. The Soviets appear to be developing a semi-orbital nuclear weapon system.

In addition to these developments, the Chinese threat against our population, as well as the danger of an accidental attack, cannot be ignored. By approving this system, it is possible to reduce U.S. fatalities to a minimal level in the event of a Chinese nuclear attack in the 1970's, or in an accidental attack from any source. No President with the responsibility for the lives and security for the American people could fail to provide this protection.

The gravest responsibility which I bear as President of the United States is for the security of the Nation. Our nuclear forces defend not only ourselves but our allies as well. The imperative that our nuclear deterrent remain secure beyond any possible doubt requires that the United States must take steps now to insure that our strategic retaliatory forces will not become vulnerable to a Soviet attack.

Modern technology provides several choices in seeking to insure the survival of our retaliatory forces. First, we could increase the number of sea- and land-based missiles and bombers. I have ruled out this course because it provides only marginal improvement of our deterrent, while it could be misinterpreted by the Soviets as an attempt to threaten their deterrent. It would therefore stimulate an arms race.

A second option is to harden further our ballistic missile forces by putting them in more strongly reinforced underground silos. But our studies show that hardening by itself is not adequate protection against foreseeable advances in the accuracy of Soviet offensive forces.

The third option was to begin a measured construction on an active defense of our retaliatory forces.

I have chosen the third option.

The system will use components previously developed for the Sentinel system. However, the deployment will be changed to reflect the new concept. We will provide for local defense of selected Minuteman missile sites and an area defense designed to protect our bomber bases and our command and control authorities. In addition, this new system will provide a defense of the continental United States against an accidental attack and will provide substantial protection against the kind of attack which the Chinese Communists may be capable of launching throughout the 1970's. This deployment will not require us to place missile and radar sites close to our major cities.

The present estimate is that the total cost of installing this system will be $6–$7 billion. However, because of the deliberate pace of the deployment, budgetary requests for the coming year can be substantially less—by about one half—than those asked for by the previous administration for the Sentinel system.

In making this decision, I have been mindful of my pledge to make every effort to move from an era of confrontation to an era of negotiation. The program I am recommending is based on a careful assessment of the developing Soviet and Chinese threats. I have directed the President's Foreign Intelligence Advisory Board—a nonpartisan group of distinguished private citizens—to make a yearly assessment of the threat which will supplement our regular intelligence assessment. Each phase of the deployment will be reviewed to insure that we are doing as much as necessary but no more than that required by the threat existing at that time. Moreover, we will take maximum advantage of the information gathered from the initial deployment in designing the later phases of the program.

Since our deployment is to be closely related to the threat, it is subject to modification as the threat changes, either through negotiations or through unilateral actions by the Soviet Union or Communist China.

The program is not provocative. The Soviet retaliatory capability is not affected by our decision. The capability for surprise attack against our strategic forces is reduced. In other words, our program provides an incentive for a responsible Soviet weapons policy and for the avoidance of spiraling U.S. and Soviet strategic arms budgets.

I have taken cognizance of the view that beginning construction of a U.S. ballistic missile defense would complicate an agreement on strategic arms with the Soviet Union.

I do not believe that the evidence of the recent past bears out this contention. The Soviet interest in strategic talks was not deterred by the decision of the previous administration to deploy the Sentinel ABM system—in fact, it was formally announced shortly afterwards. I believe that the modifications we have made in the previous program will give the Soviet Union even less reason to view our defense effort as an obstacle to talks. Moreover, I wish to emphasize that in any arms limitation talks with the Soviet Union, the United States will be fully prepared to discuss limitations on defensive as well as offensive weapons systems.

The question of ABM involves a complex combination of many factors:

—numerous, highly technical, often conflicting judgments;

—the costs;

—the relationship to prospects for reaching an agreement on limiting nuclear arms;

—the moral implications the deployment of a ballistic missile defense system has for many Americans;

—the impact of the decision on the security of the United States in this perilous age of nuclear arms.

I have weighed all these factors. I am deeply sympathetic to the concerns of private citizens and Members of Congress that we do only that which is necessary for national security. This is why I am recommending a minimum program essential for our security. It is my duty as President to make certain that we do no less.

Budapest Appeal by Warsaw Pact Nations to All European Countries, March 17, 1969 [1]

The People's Republic of Bulgaria, the Hungarian People's Republic, the German Democratic Republic, the Polish People's Republic, the Socialist Republic of Romania, the Union of Soviet Socialist Republics and the Czechoslovak Socialist Republic—the States Members of the Warsaw Pact—participants in the Conference of the Political Consultative Committee, expressing the aspirations of their peoples to live in peace and good-neighbourliness with the rest of the European peoples, as well as their firm resolve to assist in establishing an atmosphere of security and co-operation on our continent, address to all European States the following appeal for the redoubling of efforts aimed at strengthening peace and security in Europe.

The present and the future of the peoples of Europe is indissolubly linked with the maintenance and consolidation of peace on our continent. Genuine security and reliable peace can be ensured, if the thoughts, pursuits and energy of the European States are directed towards the aim of relaxing tension, solving with due regard to realities international problems that are ripe for solution and arranging for all-round co-operation on an All-European basis.

The way to good-neighbourliness, confidence and mutual understanding depends on the will and efforts of the peoples and governments of all European countries. The Europe of today, as it came out of the Second World War, is made up of more than thirty States, large and small, differing according to their social system, location and interests. By the will of history they are destined to live side by side, and no one can change this fact.

More and more governments, parliaments, Parties, political and social leaders are imbued with understanding of the responsibility that lies upon them before present and future generations for the prevention of a new military conflict in Europe. However, there are still active in Europe forces which put on the credit side of European development, not the settlement of disputes and peaceful agreements, but additional divisions and missiles, and new military programmes calculated for decades in advance. Also active together with them are those who have not drawn the proper lessons from the outcome of the Second World War, as a result of which German militarism and nazism were crushed. Their intrigues are a source of tension and bring complications into international relations.

The States participating in the Conference consider it their duty, in future also, to do all that lies in their power to shield Europe from the danger of new military conflicts, to clear the way for the development of co-operation among all European countries irrespective of their social system, on the basis of the principles of peaceful coexistence.

However complex unsolved problems may be, their solution must be achieved by peaceful means through negotiation and not through the use, or threat of the use, of force.

In analysing the situation in Europe, the States Members of the Warsaw Pact consider that there is a real possibility of ensuring

[1] ENDC/243, Apr. 2, 1969.

European security through common efforts, taking into account the interests of all European States and peoples.

Almost three years ago States Members of the Warsaw Pact put forward at Bucharest a proposal to convoke a general European conference to consider questions of European security and peaceful co-operation.[2] The contacts which have taken place since then have shown that not a single European government expressed opposition to the idea of a general European conference and that there are real possibilities of holding one. Not once since the Second World War have all the States of Europe come together, although there are numerous questions which await consideration at the conference table. From the standpoint of the interests of consolidating peace, there are no serious reasons for putting off the convening of a general European conference.

Such a conference would meet the interests of all European States. It would make it possible together to find ways and means of doing away with the division of Europe into military groupings and achieving peaceful co-operation among European States and peoples.

However, there are forces in the world which, because they seek to maintain the division of our continent, conduct a policy of fomenting tension, and refuse to facilitate peaceful co-operation among States and peoples, openly oppose the holding of such a conference and other measures to strengthen European security.

The States participating in the present Conference are convinced that the development of general European co-operation has been and continues to be the only real alternative to dangerous military confrontation, the armaments race and the dissensions which aggressive forces, seeking to undo the results of the Second World War and remake the map of Europe, are trying and will continue to try to impose on Europe.

The States Members of the Warsaw Pact confirm their proposals against the division of the world into military blocs, against the armaments race and the resultant threat to the cause of international peace and security, and the other measures and proposals contained in the Declaration on the strengthening of Peace and Security in Europe adopted at Bucharest in 1966.

It is a vital necessity, for the European peoples, to avert new military conflicts, and to strengthen the political, economic and cultural links between all States on the basis of equal rights and respect for the independence and sovereignty of States. A durable system of European security will create the objective possibility and necessity of carrying out, by combined efforts, large-scale projects in the fields of power production, of transport, of the hydrospheric and atmospheric environment and of health, which have a direct bearing on the well-being of the population of the entire continent. It is precisely this common interest which can and should become the foundation for European co-operation.

One of the basic pre-conditions for safeguarding the security of Europe is the inviolability of the existing European frontiers, including the Oder-Neisse frontiers and those between the German Democratic Republic and the Federal Republic of Germany, recognition of

[2] *Documents on Disarmament, 1966*, pp. 407–420.

the fact of the existence of those two countries, renunciation by the latter of its claims to represent the whole of the German people, and renunciation of possession in any form of nuclear weapons. West Berlin has a special status and does not belong to Western Germany.

A practical step towards strengthening European security would be a meeting in the immediate future between representatives of all the European States concerned in order to establish by mutual agreement the procedure for convening the Conference and to determine the items on its agenda. We are prepared to consider at the same time any other proposal regarding the method for preparing and convening the Conference.

The States participating in the Conference of the Political Consultative Committee address to all the countries of Europe an appeal for co-operation in convening a general European conference and in creating the necessary preconditions for ensuring that the Conference is successful and that it justifies the hopes which the peoples connect with it.

In order to bring about this important action, which would constitute an historical moment in the life of the continent, the States participating in the Conference make a solemn appeal to all European countries to strengthen the climate of confidence, and to that end to refrain from any action liable to poison the atmosphere in relations between States. They call upon them to go beyond general statements about peace to concrete acts and measures for the relaxation of tension and disarmament, for the development of co-operation and peace between the peoples. They appeal to all European governments to unite their efforts so that Europe may become a continent of fruitful collaboration between nations possessing equal rights, and a factor for stability, peace and mutual understanding throughout the world.

For the People's Republic of Bulgaria

Todor ZHIVKOV

First Secretary of the Central Committee of the Bulgarian Communist Party, Chairman of the Council of Ministers of the People's Republic of Bulgaria

For the Hungarian People's Republic

Janos KADAR

First Secretary of the CC of the Hungarian Socialist Workers' Party

Jeno FOCK

Chairman of the Hungarian Revolutionary Workers and Peasants Government

For the German Democratic Republic

Walter ULBRICHT

First Secretary of the CC of the Socialist Unity Party of Germany, President of the State Council of the German Democratic Republic

Willy STOPH

Chairman of the Council of Ministers of the German Democratic Republic

For the Polish People's Republic

Wladyslaw GOMULKA

First Secretary of the CC of the Polish United Workers Party

Josef CYRANKIEWICZ

Chairman of the Council of Ministers of the Polish People's Republic

For the Socialist Republic of Romania

Nikolae CEAUSESCU

General Secretary of the CC of the Romanian Communist Party, President of the State Council of the Socialist Republic of Romania

Ion Georghe MAURER

Chairman of the Council of Ministers of the Socialist Republic of Romania

For the Union of Soviet Socialist Republics

L. I. BREZHNEV

General Secretary of the CC of the Communist Party of the Soviet Union

A. N. KOSYGIN

Chairman of the Council of Ministers of the USSR

For the Czechoslovak Socialist Republic

Ludwik SVOBODA

President of the Czechoslovak Socialist Republic

Alexander DUBČEK

First Secretary of the CC of the Communist Party of Czechoslovakia

Oldřich ČERNIK

Chairman of the Federal Government of the Czechoslovak Socialist Republic

Message From President Nixon to ACDA Director Smith, March 18, 1969 [1]

Dear Ambassador Smith,

In view of the great importance which I attach to the work of the Eighteen-Nation Disarmament Conference in Geneva, I wish to address directly to you, as the new Director of the Arms Control and Disarmament Agency and the Head of our delegation, my instructions regarding the participation of the United States in this conference.

The fundamental objective of the United States is a world of enduring peace and justice, in which the differences that separate nations can be resolved without resort to war.

Our immediate objective is to leave behind the period of confrontation and to enter an era of negotiation.

The task of the delegation of the United States to the Disarmament Conference is to serve these objectives by pursuing negotiations to achieve concrete measures which will enhance the security of our own country and all countries.

The new administration has now considered the policies which will help us to make progress in this endeavour.

I have decided that the delegation of the United States should take these positions at the conference.

First, in order to assure that the seabed, man's latest frontier remains free from the nuclear arms race, the United States delegation should indicate that the United States is interested in working out an inter-

[1] ENDC/239, Mar. 29, 1969.

national agreement that would prohibit the emplacement or fixing of nuclear weapons or other weapons of mass destruction on the seabed. To this end, the United States delegation should seek discussion of the factors necessary for such an international agreement. Such an agreement would, like the Antarctic Treaty [2] and the Treaty on Outer Space [3] which are already in effect, prevent an arms race before it has a chance to start. It would ensure that this potentially useful area of the world remained available for peaceful purposes.

Second, the United States supports the conclusion of a comprehensive test ban adequately verified. In view of the fact that differences regarding verification have not permitted achievement of this key arms control measure, efforts must be made towards greater understanding of the verification issue.

Third, the United States delegation will continue to press for an agreement to cut off the production of fissionable materials for weapons purposes and to transfer such materials to peaceful purposes.

Fourth, while awaiting the United Nations Secretary-General's study on the effects of chemical and biological warfare, the United States delegation should join with other delegations in exploring any proposals or ideas that could contribute to sound and effective arms control relating to these weapons.

Fifth, regarding more extensive measures of disarmament, both nuclear and conventional, the United States delegation should be guided by the understanding that actual reduction of armaments, and not merely limiting their growth or spread, remains our goal.

Sixth, regarding the question of talks between the United States and the Soviet Union on the limitation of strategic arms, the United States hopes that the international political situation will evolve in a way which will permit such talks to begin in the near future.

In carrying out these instructions, the United States delegation should keep in mind my view that efforts toward peace by all nations must be comprehensive. We cannot have realistic hopes for significant progress in the control of arms if the policies of confrontation prevail throughout the world as the rule of international conduct. On the other hand, we must attempt to exploit every opportunity to build a world of peace—to find areas of accord—to bind countries together in cooperative endeavors.

A major part of the work of peace is done by the Eighteen-Nation Disarmament Committee. I expect that all members of the United States delegation will devote that extra measure of determination, skill and judgment which this high task merits.

I shall follow closely the progress that is made and give my personal consideration to any problems that arise whenever it would be helpful for me to do so.

Please convey to all your colleagues my sincere wishes for success in our common endeavor. Over the years their achievements at the Eighteen-Nation Disarmament Conference have been outstanding. I am confident that in the future our efforts, in cooperation with theirs, will be equal to any challenge and will result in progress for the benefit of all.

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[2] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[3] *Ibid., 1967*, pp. 38–43.

Message From Premier Kosygin to the Eighteen Nation Disarmament Committee, March 18, 1969 [1]

On behalf of the Soviet Government I greet the Eighteen-Nation Committee on Disarmament and wish it success in its work.

To reduce the danger of armed conflict and avert the threat of a world thermonuclear war, the Soviet Government is making persistent efforts to stop the arms race and to achieve disarmament. Since the emergence of nuclear weapons the Soviet Union has firmly and consistently proclaimed that mankind must be delivered from the nuclear menace.

The drafting and signing of the Treaty on the Non-Proliferation of Nuclear Weapons [2] was a signal success in the struggle by States to bring about disarmament. The Eighteen-Nation Committee on Disarmament has greatly contributed to the solution of this problem.

We note with satisfaction that over eighty countries have signed this Treaty. Now the task is to ensure that the Treaty enters into force as soon as possible.

The conclusion of the Non-Proliferation Treaty opens prospects for the achievement of international agreements on other matters, including the vitally important matter of nuclear disarmament.

The Soviet Government is well known to attach great significance to the provisions of the Non-Proliferation Treaty, under which the Parties undertake to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. It sent to all governments and placed on the agenda of the twenty-third session of the United Nations General Assembly a Memorandum on Some Urgent Measures for Stopping the Arms Race and for Achieving Disarmament.[3]

The peoples are concerned at the continuance of the nuclear arms race. We deem it important to find without delay ways of reaching agreement primarily on the non-use of nuclear weapons, and on other measures of nuclear disarmament. The solution of these problems would undoubtedly contribute much to the efforts to end the arms race, and would help to remove the threat of nuclear war.

It is also of the greatest importance to agree that the sea-bed and the ocean floor shall not be used for military purposes but shall remain a sphere for man's peaceful activities. For this purpose the Soviet Union is submitting for the consideration of the Eighteen-Nation Committee a draft treaty prohibiting the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.[4]

Solutions must also be found to the vitally important problems of cessation of the manufacture of nuclear weapons, the reduction and destruction of their stockpiles, the limitation and subsequent reduction of means of delivery of strategic weapons, the prohibition of chemical

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[1] ENDC/238, Mar. 18, 1969.
[2] *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ibid.*, pp. 466–470.
[4] *Infra.*

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and bacteriological warfare, and others. We believe that consideration by the Eighteen-Nation Committee of the relevant proposals contained in the Memorandum of the Soviet Government would facilitate the solution of these major problems.

Permit me to express the hope that the Committee's work will yield practical results in ending the arms race and moving forward towards disarmament.

May the activities of the Eighteen-Nation Committee be guided at all times by the peoples' desire that any international tensions shall be relaxed and world peace ensured.

Soviet Proposal Submitted to the Eighteen Nation Disarmament Committee: Draft Treaty on Prohibition of the Use for Military Purposes of the Sea-Bed and the Ocean Floor and the Subsoil Thereof, March 18, 1969 [1]

The States Parties to this Treaty,

Noting that developing technology makes the sea-bed and the ocean floor and the subsoil thereof accessible and suitable for use for military purposes,

Considering that the prohibition of the use of the sea-bed and the ocean floor for military purposes serves the interests of maintaining world peace and reducing the arms race, promotes relaxation of international tension and strengthens confidence among States,

Being convinced that this Treaty will contribute to the fulfilment of the purposes and principles of the United Nations,

Have agreed as follows:

Article 1

The use for military purposes of the sea-bed and the ocean floor and the subsoil thereof beyond the twelve-mile maritime zone of coastal States is prohibited.

It is prohibited to place on the sea-bed and the ocean floor and the subsoil thereof objects with nuclear weapons or any other types of weapons of mass destruction, and to set up military bases, structures, installations, fortifications and other objects of a military nature.

Article 2

All installations and structures on the sea-bed and the ocean floor and the subsoil thereof shall be open on the basis of reciprocity to representatives of other States Parties to this Treaty for verification of the fulfilment by States which have placed such objects thereon of the obligations assumed under this Treaty.

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[1] ENDC/240, Mar. 18, 1969.

Article 3

The outer limit of the twelve-mile maritime zone established for the purposes of this Treaty shall be measured from the same base-lines as are used in defining the limits of the territorial waters of coastal States.

Article 4

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of ....., which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after the deposit of instruments of ratification by five Governments, including the Governments designated as Depositary Governments.
4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. Each Party shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.
6. The Depositary Governments shall forthwith notify the Governments of all States signatory and acceding to this Treaty of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.
7. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article 5

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

IN WITNESS WHEREOF the undersigned, being duly authorized thereto, have signed this Treaty.

DONE in ..... at ....., this ..... day of ....., ...

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee, March 18, 1969 [1]

We have listened to the very detailed and interesting statement by the representative of Mexico, Mr. García Robles. The facts and opinions he put forward will be studied with the attention which they deserve.

61. Today the Eighteen-Nation Committee on Disarmament is resuming its work. It is faced with the primary task of contributing to the speediest possible implementation of the measures already agreed in the field of disarmament, and of reaching agreement on further steps to limit the arms race and on the preparation for that purpose of appropriate international agreements. The Committee, in approaching its work, has on the credit side the positive experience of the negotiations concerning the Treaty on the Non-Proliferation of Nuclear Weapons (General Assembly resolution 2373 (XXII), Annex).[2] That Treaty was approved by a substantial majority of the members of the United Nations and has now been signed by more than eighty States. The fact that many States have signed the Treaty on the Non-Proliferation of Nuclear Weapons is convincing evidence that, with good will and the necessary efforts by the parties, the achievement of an agreement on the problems of slowing down the arms race, even though it may be difficult, is practicable.

62. The agreement on the Non-Proliferation Treaty is the most important achievement in the negotiations on disarmament and the limitation of the arms race in the post-war period. That Treaty sets up a barrier to the spread of nuclear weapons on this planet, to the emergence of new nuclear States and to a consequent new, even more dangerous and costly round of the arms race. It is impossible not to realize that the proliferation of nuclear weapons would immeasurably increase the danger of a world nuclear conflict.

63. The conclusion of the Non-Proliferation Treaty serves the interests of all States, whether they are nuclear or non-nuclear, whether they are members of military groupings or are non-aligned countries, because that Treaty serves to strengthen peace on earth. Nobody will lose as a result of the conclusion of the Treaty; instead, all countries will gain.

64. The significance of the Non-Proliferation Treaty also lies in the fact that it opens the way to the solution of other problems in the field of disarmament. As we know, article VI of the Treaty on the Non-Proliferation of Nuclear Weapons imposes on the Parties to the Treaty the obligation to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

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[1] ENDC/PV.395, pp. 24–33.

[2] The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465. For the resolution, see *ibid.*, pp. 431–432.

Thus the Treaty is destined to contribute substantially to agreement on and implementation of further measures in the field of disarmament. It is therefore essential that efforts should be made to ensure that the Treaty enters into force at an early date so as to facilitate the implementation of further steps in the field of disarmament.

65. In this connexion we cannot overlook the fact that the Non-Proliferation Treaty has not yet been signed by a number of States which, because of the level of their industrial and scientific development, are approaching the point where they would be able to start manufacturing nuclear weapons, and that there are certain circles in the world which are trying artificially to delay its entry into force. In a number of cases, political leaders and organs of the press attack the Treaty and carry on propaganda against it, thereby influencing the position of the hesitating countries. Any delay in the entry into force of the Treaty may create definite difficulties in resolving many questions relating to disarmament that are ripe for solution.

66. The need to elaborate and agree upon further measures in the field of the limitation of armaments and of disarmament is indicated in the decisions of the twenty-third session of the United Nations General Assembly. Thus in resolution 2454 B (XXIII) the Eighteen-Nation Committee is requested—

> . . . to make renewed efforts towards achieving substantial progress in reaching agreement on the question of general and complete disarmament under effective international control, and urgently to analyse the plans already under consideration and others that might be put forward to see how in particular rapid progress could be made in the field of nuclear disarmament, [as well as] to continue its urgent efforts to negotiate collateral measures of disarmament.[3]

67. Taking into consideration the problem of ensuring the peace and security of peoples, the Soviet Government, as is well known, proposed on 1 July 1968 a Memorandum on Some Urgent Measures for Stopping the Arms Race and for Disarmament.[4] Among the measures proposed in the Memorandum a foremost place is given to measures for restraining the nuclear missile arms race, leading step by step to the prohibition of nuclear weapons altogether, the limitation and subsequent reduction of means of delivery of strategic weapons, and others. We are gratified to note that the Soviet Government's Memorandum attracted considerable attention in the Eighteen-Nation Committee and at the twenty-third session of the General Assembly, and we express the hope that the proposals contained in the Memorandum, which constitute a broad disarmament programme aimed at ensuring international peace and security, will be duly considered by the Eighteen-Nation Committee.

68. In determining the tasks of this session of the Eighteen-Nation Committee, we hold the view that efforts should be concentrated on the search for agreements in the field of nuclear disarmament. The enormous destructive power of these weapons is well known. Their use, particularly since their power has increased in recent years, would entail the loss of countless human lives. Noteworthy in this connexion

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[3] *Ibid.*, pp. 795–796.
[4] *Ibid.*, pp. 466–470.

is the report of the Secretary-General to the twenty-second session of the General Assembly on the effects of the possible use of nuclear weapons. This report was mentioned by the representative of Mexico in his very detailed statement today. It notes that in the event of a nuclear war not only the direct participants but all countries of the world would suffer. It states:

> The effects of all-out nuclear war, regardless of where it started, could not be confined to the Powers engaged in that war. They themselves would have to suffer the immediate kind of destruction and the immediate and more enduring lethal fall-out . . . But neighbouring countries, and even countries in parts of the world remote from the actual conflict, could soon become exposed to the hazards of radio-active fall-out precipitated at great distances from the explosion, after moving through the atmosphere as a vast cloud.[5]

69. The consideration of disarmament questions at the twenty-third session of the General Assembly and in the Eighteen-Nation Committee on Disarmament showed that it was precisely the problem of nuclear disarmament that attracted the greatest attention of those who spoke. At the last session of the Eighteen-Nation Committee, it was agreed that the Committee would give priority in its work in the near future to further effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. The Soviet Union, for its part, attaches great importance to this problem and is making every possible effort towards its rapid solution.

70. Among the collateral measures in the field of nuclear disarmament which require all-round consideration and solution there is, in the first place, the question of prohibiting the use of nuclear weapons. The importance of this measure is that it would put an end to nuclear weapons politically and pave the way to their physical destruction. The discussion of this question at sessions of the General Assembly and in the Eighteen-Nation Committee has shown that many States support the idea of a convention to prohibit the use of nuclear weapons, as proposed by the Soviet Union [6] and urge the rapid implementation of this proposal.

71. In the matter of prohibiting the use of nuclear weapons, we could profit from the experience already existing in regard to prohibition of the use of another type of weapons of mass destruction, namely chemical and bacteriological weapons. Thus the Geneva Protocol of 1925 prohibiting the use of poison gas and bacteriological means of warfare [7] proved its effectiveness during the Second World War, when Hitler, despite his contemptuous attitude towards the standards of international law, did not venture to use gas. We believe that the prohibition of nuclear weapons could have a similar restraining effect.

72. An undertaking by States not to use nuclear weapons would contribute to relaxation of international tension, to the establishment of a healthier international atmosphere and to the strengthening of confidence among States. This would unquestionably reduce the threat of nuclear war. The implementation of this measure would also be a serious restraining factor for those who count upon the use of nuclear

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[5] *Ibid., 1967*, p. 496.
[6] For the Soviet proposal, see *ibid.*, pp. 420–421.
[7] *Post*, pp. 764–765.

weapons to achieve their political and military aims. Prohibition of the use of nuclear weapons would be a measure that would eliminate the question of the possibility of nuclear blackmail of a non-nuclear country. In fact it would promote developments which would lead to the liquidation of the so-called nuclear club and to the removal of the differences between States which derive from possession or non-possession of nuclear weapons. It would result in non-nuclear States receiving additional security guarantees against a nuclear attack or the threat of such attack.

73. Prohibition of the use of nuclear weapons would not be linked with such difficulties as the establishment of control, inspection and so on. All that is required is the willingness of States to renounce the military use of nuclear energy.

74. Next comes that important measure, the prohibition of the manufacture of nuclear weapons. Implementation of this measure would radically solve the problem of reducing and eliminating the danger of a nuclear war. The elimination of nuclear weapons, that is, the complete destruction of all stockpiles of atomic and hydrogen bombs, would crown the process of nuclear disarmament, thus freeing mankind from the threat of nuclear annihilation. The Soviet Union attaches primary importance to this problem and is prepared to conduct negotiations on nuclear disarmament questions, in the belief that during such negotiations agreement could be reached both on a whole set of measures leading to the destruction of nuclear weapons, and on some of them that would lead to this objective.

75. Among the major problems on the Committee's agenda there is also the question of the cessation of nuclear-weapon tests, which should be considered within the context of nuclear disarmament measures. The twenty-third session of the United Nations General Assembly devoted great attention to this problem, and requested the Committee "to take up as a matter of urgency the elaboration of a treaty banning underground nuclear-weapon tests . . ."[8] The search for a solution to the problem of banning underground nuclear-weapon tests has been going on for a long time. The Soviet Union's position on this problem is well known: We have consistently advocated a complete ban on all nuclear weapon tests, including underground tests. This position was restated once again in the Memorandum by the Government of the USSR on some urgent measures for stopping the arms race and for disarmament of 1 July 1968, in which the Soviet Government expressed its willingness to reach agreement on the banning of underground nuclear weapon tests on the basis of the use of national means of detection to control observance of the ban.

76. In this connexion it should be emphasized that, in view of the present level of development of seismic means of detection, no country would be able to explode a nuclear weapon underground without exposing itself as a violator of an international treaty. In the opinion of the scientists of many countries, an opinion corroborated by practice, no one could seriously count on exploding a nuclear weapon underground and expect to escape detection. The only trouble appears

[8] *Documents on Disarmament, 1968*, pp. 796–797.

to be that some governments are not yet prepared to discontinue underground nuclear weapon tests.

77. Among modern types of weapons some of the most dangerous are chemical and bacteriological weapons. In expressing the grave concern of the peoples of the world about the possibility of the use of such weapons as a means of warfare, the United Nations General Assembly has repeatedly emphasized the need to ban chemical and bacteriological weapons and to ensure the strict implementation by all States of the Geneva Protocol of 1925.

78. The study at present being carried out by a group of experts appointed by the Secretary-General of the United Nations on the possible consequences of the use of chemical and bacteriological (biological) weapons will certainly be useful in that it will draw the attention of world public opinion to the serious and urgent nature of this problem. We hope that the work of the experts will be a useful contribution to the solution of the question of a complete ban on chemical and bacteriological weapons.

79. This work is being carried out as a result of an initiative taken within our Committee. This confirms the fact that the Eighteen-Nation Committee on Disarmament is entrusted with the task of continuing the consideration of this problem with a view to securing compliance by all States with the Geneva Protocol banning the use of chemical and bacteriological weapons.

80. We should now like to state the position of the Soviet Union on the question of prohibiting the use of the sea-bed and ocean floor for military purposes. The difficulties involved in stopping the arms race where it is already going on are one of the reasons in favour of not allowing this race to spread to those environments which used to be inaccessible for human activities but are now being gradually opened up through the achievements of science and technology. International practice has shown the practicability and importance of carrying out disarmament measures in environments new to mankind, such as Antarctica, which under the Treaty of 1959[9] is being used exclusively for peaceful purposes; and also outer space in regard to which a number of demilitarization measures were embodied in the Treaty of 1967 (General Assembly resolution 2222 (XXI), Annex).[10] We consider that the time has come to study on the practical level the question of concluding a treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the sub-soil thereof.

81. The United Nations General Assembly, in its resolution 2340 (XXII), pointed out the necessity of finding a positive solution to this question, having noted that developing technology is making the sea-bed and the ocean floor and the sub-soil thereof accessible and exploitable for military purposes.[11] There can be no doubt that the use of the sea-bed for military purposes would step up the arms race and thus increase the danger of war, which would run counter to the interests of the peoples of the world. The prohibition of the use for military pur-

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[9] *Ibid.*, *1945–1959*, vol. II, pp. 1550–1556.
[10] For the outer-space treaty, see *ibid.*, *1967*, pp. 38–43.
[11] *Ibid.*, pp. 727–729.

poses of the sea-bed would at the same time be a necessary prerequisite for the successful development of international co-operation in opening up that environment for peaceful purposes.

82. Guided by those considerations, the Soviet Government proposed last year that the United Nations General Assembly should call upon all States to use the sea-bed and the ocean floor exclusively for peaceful purposes, and that it should instruct the Eighteen-Nation Committee on Disarmament to consider as an urgent measure the question of prohibiting the use of the sea-bed for military purposes. In the Memorandum by the Government of the USSR on disarmament of 1 July 1968 it is noted that—

> The progress of research and the prospects for the development of the sea-bed and the ocean floor make it possible to raise the question of giving timely expression in appropriate form, to a régime such as would ensure the utilization of the sea-bed beyond the limits of the present territorial waters solely for peaceful purposes. That would, in particular, involve the prohibition of the establishment of fixed military installations on the sea-bed, as well as other activities of a military nature.[12]

83. The discussion at sessions of the United Nations General Assembly and in its subsidiary bodies of the question of preserving the sea-bed and the ocean floor and the subsoil thereof exclusively for peaceful purposes has shown that the proposal of the USSR to prohibit the military use of the sea-bed has gained the wide support of States, which realize that the vital interests of the peoples of the world are involved. Many delegations have rightly pointed out that, unless effective measures in this field are taken in good time, it will be much more difficult to do so later on. In advocating the use of the sea-bed exclusively for peaceful purposes, the States interested in solving this problem have in mind that such use should preclude all forms of military activity on the sea-bed and should entail prohibition of the use of the sea-bed for military purposes.

84. The recognition by a large number of States of the urgent need to prohibit the military use of the sea-bed and ocean floor makes it necessary to proceed without further delay to the elaboration of an appropriate international agreement. On the instructions of the Soviet Government we are today submitting for the consideration of the Eighteen-Nation Committee a draft treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.[13]

85. The Soviet draft treaty derives from the desire to contribute to the implementation of the purposes and principles of the United Nations Charter in respect of activities on the sea-bed. This draft is based on the conviction expressed by the United Nations General Assembly that the prohibition of the military use of the sea-bed and the ocean floor serves the interests of maintaining world peace, reduces the arms race, promotes the relaxation of international tension and strengthens confidence among States.

86. For these purposes the Soviet Union proposes that it be prohibited to place on the sea-bed and the ocean floor and the subsoil

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[12] *Ibid., 1968*, p. 470.
[13] *Supra.*

thereof objects with nuclear weapons or any other types of weapons of mass destruction, and to set up military bases, structures, installations, fortifications and other objects of a military nature. All installations and structures on the sea-bed and the ocean floor and the subsoil thereof should be open on the basis of reciprocity to representatives of other States.

87. During the discussion on the question of prohibiting the military use of the sea-bed and ocean floor it has become evident that certain difficulties stand in the way of a solution of this problem, owing to differences of views concerning the limits of the territorial waters of States, the concept of national jurisdiction, the limits of the continental shelf, and so forth. The Soviet draft treaty proposes a new approach to the question of what part of the surface of the sea-bed and ocean floor should be used exclusively for peaceful purposes. We propose that this area should cover the whole of the sea-bed and ocean floor and the subsoil thereof beyond the twelve-mile maritime zone of coastal States. This approach eliminates legal issues and makes it possible to cover to the maximum extent the area of the sea-bed subject to demilitarization. In fact, it is a matter of preventing the military use of the sea-bed and ocean floor throughout their geographical extent, that is, the demilitarization of two-thirds of the surface of the earth.

88. The Soviet delegation will endeavour to achieve in the Eighteen-Nation Committee the speediest possible agreement on the question of prohibiting the military use of the sea-bed and the ocean floor and the subsoil thereof. We hope that all delegations will manifest a desire to co-operate with a view to the solution of this important problem, and that the Eighteen-Nation Committee will make a real contribution to its achievement.

89. Those are the problems and proposals which the Soviet delegation is submitting for the consideration of the Eighteen-Nation Committee. In doing so we bear in mind that the Committee has before it a number of other questions to which appropriate attention should be devoted. Thus the General Assembly has requested the Committee to consider the question of eliminating military bases in foreign territories.[14] This question also is put forward in the Memorandum of the Soviet Union on disarmament. Attention should be devoted to questions of regional disarmament, such as the establishment of nuclear-free zones in various parts of the world. The implementation of this measure would reduce international tension, limit the sphere of proliferation of nuclear weapons and serve the cause of peace. We also have before us the problem of prohibiting flights of aircraft with nuclear weapons on board beyond the national frontiers of States.

90. Our goal is to reach agreement on the most important problems of limiting the arms race, and eventually on general and complete disarmament, which the overwhelming majority of the peoples of the world desire. The Soviet Union, for its part, believes that the imple-

[14] *Documents on Disarmament, 1967*, p. 732.

mentation of separate partial measures to limit the arms race should pave the way to the accomplishment of the main task—to secure general and complete disarmament in the interests of peace and the progress of the whole of mankind.

Statement by Secretary of Defense Laird to the Senate Committee on Armed Services: Antiballistic Missile Defense [Extract], March 19, 1969 [1]

The first item on table 1 is the SENTINEL program. President Nixon on March 14 explained the reasons why we have reached the conclusion that we must go ahead with the development and deployment of a ballistic missile defense system. He pointed out that the SAFEGUARD system now being proposed is based on a different concept than the SENTINEL system approved by the preceding administration.[2] The modified ABM system has been designed so that its defensive intent is unmistakable. Moreover, it will be deployed in a manner clearly related to the emerging threat, rather than on the basis of some fixed schedule based on theoretical assumptions.

In reviewing this program, we examined all of the major alternatives:

1. A deployment which would defend U.S. cities against a Soviet attack.
2. No deployment at all, but a continuation of research and development.
3. The continuation of the Sentinel program approved by the preceding administration.
4. The deployment of a modified system which would fulfill three objectives:

(a) Defense of our land-based strategic offensive forces against a first strike by the Soviet Union.

(b) Protection of the American people against the kind of nuclear attack which Communist China is likely to be able to mount within the decade.

(c) Defense of the Nation against an accidental or small attack from any source.

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[1] *Authorization for Military Procurement, Research and Development, Fiscal Year 1970, and Reserve Strength: Hearings Before the Committee on Armed Services, United States Senate, Ninety-first Congress, First Session, on S. 1192 and S. 2407, a Bill To Authorize Appropriations During the Fiscal Year 1970 for Procurement of Aircraft, Missiles, Naval Vessels, and Tracked Combat Vehicles, Research, Development, Test, and Evaluation for the Armed Forces, and To Prescribe the Authorized Personnel Strength of the Selected Reserve of Each Reserve Component of the Armed Forces, and For Other Purposes*, pt. 1, pp. 96–100.

[2] See *ante*, pp. 102–105.

ALTERNATIVE 1

We rejected the first alternative, not because we do not want to provide complete protection for the American people against a major Soviet attack, but rather because it is not now in our power to do so. The heaviest defense system we considered in our review, one designed to protect our major cities, could still not prevent a catastrophic level of U.S. fatalities in the event of a deliberate all-out Soviet attack. And, such a deployment might look to the Soviet Union like the prelude to an offensive strategy designed to undercut their deterrent.

ALTERNATIVE 2

We rejected the second alternative (no deployment) because it left us with no option to provide a defense for our deterrent on a schedule that might be required by the Soviet threat if we do not reach an agreement with them on limiting strategic forces. The Soviet Union is increasing its offensive forces at a considerably faster rate than was envisaged in 1967 when the decision to deploy Sentinel was made.

As you will recall, former Secretary Clark Clifford, in his posture statement in January pointed out that in a period of a little more than 2 years, the Soviets had increased their number of operational ICBM launchers more than threefold, from 250 in mid-1966 to 896 by September 1, 1968.[3] As of today, the Soviets have in-being and under construction more ICBM launchers than the 1,054 possessed by the United States.

Moreover, the Chinese threat against our population, as well as the danger of an accidental or small attack from some other source, cannot be ignored. Since it is within our power to reduce U.S. fatalities to a minimum level or to prevent them altogether in the event of a Chinese attack or small attacks from other nations, we must act to do so.

ALTERNATIVE 3

We rejected the third alternative (deployment of the SENTINEL system approved by the preceding administration) because it would not provide sufficient protection against the emerging Soviet threat to our strategic offensive forces. These emerging threats include the rapid buildup in the Soviet submarine-launched ballistic missile force, their development of a fractional orbit bombardment system (FOBS), and their likely deployment of large ICBM's with multiple warheads. Also, the original SENTINEL plan could be misinterpreted as—and could in fact have been—a first step toward the construction of a heavy system for the defense of our cities.

ALTERNATIVE 4

I believe we can all agree that our nuclear deterrent must be made as secure as is technically and economically feasible. Our nuclear forces defend not only ourselves, but our allies. Accordingly, we must take whatever steps are practicable to insure that our strategic retaliatory forces can survive a Soviet attack.

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[3] See *ante*, p. 2.

After examining the available alternatives, we have concluded that a combination of approaches provides the most realistic means of safeguarding our retaliatory capability.

This combination consists of beginning a measured deployment of an active defense of our retaliatory forces, structured to expand as circumstances may dictate, and preserving the option, if we later find it necessary, to harden further our land-based missiles. The combination is necessary because our studies show that hardening alone would not provide adequate protection against foreseeable advances in the accuracy of Soviet missiles.

The ABM defense system we now propose to deploy will use components previously developed for SENTINEL. However, if the system is fully installed, these components will be deployed in such a way as to provide:

1. A local defense of the MINUTEMAN missile silos.
2. Early warning and area defense of our bomber bases and command and control system.
3. A defense of the continental United States against the kind of attack which the Chinese Communists may be able to launch in the mid-1970's.
4. Protection against an accidental or small attack from any source.

This system will not require the emplacement of missiles or radars in or near our major cities, except for the protection of the national command authorities in Washington, D.C.

Mr. Packard will discuss in greater detail the options for full deployment of the system.

The basic deployment plan would include a total of 12 sites, compared with 17 sites in the previous plan. These 12 sites would be in the continental United States. Two others, Alaska and Hawaii, could be added if required. (The Chicago, New York, and Salt Lake City sites have been eliminated.) The first two sites—Grand Forks Air Force Base and Malmstrom Air Force Base—which have been proposed for initial deployment, will each have one 4-face Missile Site Radar (MSR), one 1-face Perimeter Acquisition Radar (PAR), Standard SPARTANS and SPRINTS. The schedule on which the remaining sites will be deployed will be determined year by year in step with the emergence of the threat.

If fully deployed, the new system (excluding the option for Alaska and Hawaii) would provide 12 MSR's with 48 faces instead of 17 MSR's with 38 faces; and 7 PAR's with 11 faces instead of 6 PAR's with 6 faces. The increase in PAR capability is required to provide all-around radar coverage of the United States, including the seaward approaches. The latter is particularly important for the defense of our deterrent forces against the Soviet SLBM threat. Our present early warning systems do not provide adequate coverage of the seaward approaches and our alert bombers may be caught on their bases by a surprise SLBM attack. Furthermore, the Soviets may configure their SLBM's for depressed trajectory launch. In that case, the total time to target might be considerably less than that required for

a normal high trajectory launch. This reduction in flight time would make it difficult to get all our alert bombers off their bases within the warning time. Therefore, we must also be able to intercept at least the first salvo of SLBM's, and this the proposed new system is designed to do with respect to most SAC bases.

An improved, longer range Spartan is now under development. If we later find that this missile promises sufficient advantage to warrant proceeding further, we will substitute some Improved Spartans for the Standard Spartan. The longer range Spartan would give us better coverage of the entire continental United States.

All of the ABM sites would be equipped with some Sprints. The four sites to be located in the Minuteman fields (Grand Forks, Malmstrom, Whiteman, and Warren) would have a considerably larger number than the others.

In summary, the proposed system, if fully deployed, would work as follows:

1. The Spartan batteries at each of the 12 locations would provide area protection against the early Chinese Communist ICBM threat.
2. The PAR's would provide surveillance and tracking against ICBM's, FOBS, and SLBM's.
3. The PAR's and MSR's would give extra warning, and the Spartans and Sprints some extra protection to the alert bomber force.
4. The system as a whole would protect the ABM sites, themselves, and some of the bomber bases against a FOBS attack.
5. The four ABM sites located in the Minuteman fields would provide some initial protection (and the option for additional protection) to a portion of our Minuteman force.
6. The site at Washington, D.C., would give protection to the national command authorities against a moderately heavy attack.

The investment cost (procurement and construction) of the new system, if fully deployed, would range from $6 billion to a little over $7 billion, depending on the options that are exercised. This is somewhat more than the cost estimates of the Sentinel system proposed by the preceding administration. The modified system, however, provides additional capabilities. Because the new system would be deployed at a much more deliberate pace, budgetary requirements in fiscal year 1970 will be about one-half that proposed in the original budget—about $900 million compared with about $1.8 billion. As shown on table 1, the total reduction in obligational authority for fiscal year 1969–70 amounts to almost $1 billion. All but $3 million (for O&M) of this total can be applied to reduce the fiscal year 1970 new obligational authority required.

Mr. Chairman, I want it understood that I am talking about the investment costs of this program in this particular discussion here, and this does not include the research and development costs that have already gone on before. I want to make that very clear, because we have got to the point where we separated research and development and investments costs.

Statement by Secretary of Defense Laird to the Subcommittee on International Organization and Disarmament Affairs of the Senate Foreign Relations Committee: Deployment of Antiballistic Missiles [Extracts], March 21, 1969 [1]

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Disarmament is a goal that all Americans should favor. For years in the Congress, I have struggled, as you have, Mr. Chairman, and members of this committee, with the burden of having to devote a very substantial percentage of our national resources to expensive weapons systems.

As you know, Mr. Chairman, and members of this committee, I served on the Defense Appropriations Committee for 14 years during my service in the House of Representatives. During most of that time, I was also the ranking minority member of the House subcommittee which provides all of the Federal funds for the health, education, and welfare activities of our National Government. As a result, I am very deeply conscious of the many urgent requirements here at home for the dollars we are spending on defense.

This is why, as Secretary of Defense, I would take great pride and satisfaction in presiding over the elimination of arms building—if we are successful in any future arms control talks. This is a possibility that we pray will become a reality.

I do not, however, intend to preside over any situation that would erode the safety and security of the American people, if we have the means at our disposal to prevent that erosion.

APPROVAL OF MODIFIED ABM SYSTEM

It is in this context, Mr. Chairman, and members of the committee, that the Nixon administration, after a very exhaustive review and extensive deliberations, has decided to propose the Safeguard anti-ballistic-missile defense system for approval in this session of Congress. This approval will be limited to phase I of the program which we will outline in detail before this committee today.

As we propose this modified ABM, let me tell you what it is not. Despite the understandable concern of many Americans, the safeguard system is not an escalation of the arms race; neither is it a stumbling block to arms limitation talks. When understood in its proper context, the Safeguard system is a building block for peace.

I do not make these statements casually, Mr. Chairman. They represent conclusions which are based on long and thorough study and the careful evaluation of technical and intelligence information.

I would like to place into context for you, the overriding considerations that prompted both the top officials in the Department of De-

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[1] *Strategic and Foreign Policy Implications of ABM Systems: Hearings Before the Subcommittee on International Organization and Disarmament Affairs, Ninety-first Congress, First Session*, pt. I, pp. 167–180.

fense, the President and his National Security Council to decide to go ahead with a modified ABM system.

Mr. Chairman, as you indicated in your statement, there has been some confusion over the U.S. ABM and its relationship with the overall arms race. It would be useful to look at this issue for just a few moments.

NOT ALL WEAPONS SYSTEMS ARE PROVOCATIVE

Not all weapons systems are provocative. Whether they are provocative or nonprovocative often depends *on the character* of their deployment. Let me give you an example. Our land-based ICBMs, if deployed in fixed soft positions above ground, where they are vulnerable to attack might provoke a potential enemy into enlarging his own nuclear capability because such a deployment would be useful to us only if we planned to strike first. The reason is that a soft missile deployment would not survive an attack on the United States of the kind the Soviets are capable of launching, and be used for retaliatory purposes. By placing these same ICBMs in protected concrete and steel silos underground—in hardened sites—we demonstrate our own intention to use them primarily for defensive, or retaliatory purposes.

When the Nixon administration took office, deployment of the Sentinel ABM system had been authorized by the Congress, both by the House and the Senate. In addition, construction on this Sentinel system was already in progress with several ABM sites to be located in or near major U.S. cities.

In the discussions which preceded the authorization of this Sentinel system by the Congress, it had been publicly stated that the system did not have a capability of defending our cities against a heavy attack of the kind the Soviets could launch. Ostensibly, this system was designed to afford protection only against a possible Red Chinese ICBM threat.

It was obvious, however, Mr. Chairman, that the Sentinel system was ambiguous, at best. It was intepreted by some as the beginning of a "thick" defense of our cities against Soviet attack. In fact, it could have been used for precisely that purpose. It could also have been construed as a system designed to protect our cities from surviving Soviet missiles after a surprise attack by the United States.

Our review, therefore, convinced us that the original Sentinel was potentially provocative. As such, it appeared to us to be a step toward, rather than away from, an escalation of the arms race.

. . . . . .

REVIEW OF SENTINEL SYSTEM ORDERED

Recognizing this fact and the fact that the original Sentinel system as it was being installed offered little, if any, protection of our people from a massive attack, I immediately ordered deployment of the system stopped, soon after taking office as Secretary of Defense. I did this so that the entire matter could be studied and reevaluated in terms of its effectiveness, its potential effect on the arms race, and its potential

effect on the possibility of achieving meaningful arms limitation talks with the Soviet Union, and I had not been in office very many weeks when this review was ordered by the new administration.

This action was taken with the full knowledge of the controversy that would accompany a new beginning or a change in course. This demonstrates, I believe, Mr. Chairman, the desire of the new administration to prevent any further escalation of the nuclear arms race and to advance the prospects for arms talks with the Soviets.

In short, Mr. Chairman, this should make clear that the new administration has a deep dedication to finding the most viable building blocks for peace.

After our intensive review of all the major aspects of the problem within the Department of Defense, Deputy Secretary of Defense, David Packard, Dr. Foster, the Chairman of the Joint Chiefs of Staff, all the Chiefs, and I, unanimously recommended to the President that he support the measured, phased ABM system I am discussing before you today. The President, after making his own independent study of the alternatives available with the aid of the National Security Council staff and others, announced his decision last week to urge the Congress to approve the Safeguard ABM system that I will be discussing with you today.[2] This system has been designed to accomplish the following objectives:

OBJECTIVES OF SAFEGUARD ABM SYSTEM

1. It clearly rejects a provocative expansion into a heavy defense of our cities against a Soviet attack;
2. It offers more protection, as needed, to our deterrent forces;
3. It offers protection, as needed, of the entire country from a small attack, such as the kind of attack that could be possibly delivered by the Chinese Communists during the decade of the 1970s or from an accidental launch;
4. It offers the Soviet Union added incentive for productive arms control talks; and
5. It provides the protection needed for the safety and the security of our country—*but only the protection that is needed.*

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RATE OF SOVIET WEAPON BUILDING

Mr. Chairman, we must rely on deterrence to insure that nuclear war doesn't start in the first place, and this is the important thing. In order to deter an attack we must be positive—and the Soviet Government must be positive—that a substantial number of our long-range missiles and bombers will survive the kind of attack that you were talking about or any attack, and then destroy the attacker as a modern society. We must have that capability and we must have it in a credible fashion. The Soviet Union today is building at a rapid rate the kind of weapons which could be used to erode our essential deterrent force. They are installing many SS–9 intercontinental ballistic missiles. It is an ac-

[2] See *ante*, pp. 102–105.

375–754—70——10

curate weapon with a large—up to 25 megaton—warhead. We must give very serious consideration to why this weapon was still being deployed as late as December of this last year. With improvements in the accuracy and a continued increase in numbers, the Soviet missile force could gain real effectiveness against our Minuteman. The Soviets also can build nuclear submarines at a rate of one per month—they are now building seven per year—which could come close to our shores and attack at short range many of our missiles and bomber bases. They are also working hard on a fractional orbit bombardment system designed to reduce the warning time of our bombers so that they will not have sufficient time to become airborne.

This Soviet effort is not just a future potential. As you will recall, former Defense Secretary Clark Clifford, in his posture statement in January, pointed out that in a period of a little more than 2 years, the Soviets had increased their number of operational ICBM launchers more than threefold from 250 in mid-1966 to 896 by September 1, 1968.[3] As of today, the Soviets have in being and under construction more ICBM launchers than the 1,054 possessed by the United States.

The fact that the Soviets have virtually "caught up" with the United States in total number of land-based ICBMs has been interpreted by many as a now successful Soviet effort to achieve parity with the United States in strategic defenses.

FACTORS RELEVANT IN DETERMINING PARITY

Of course, "parity" in strategic nuclear weapons, Mr. Chairman, is not a simple function of gross numbers in one category of weapons. Many other factors are relevant in measuring "parity" or equivalence in strategic nuclear power, and, consequently the purpose or capability for which the force is assembled.

For one thing, the destruction which can be accomplished with nuclear weapons depends on many factors other than the number of launchers or warheads. It also depends, for example on the size of the warhead and the accuracy of the weapon. Accuracy, however, is less of a factor in structuring a retaliatory force—strike against cities—than in structuring a first strike force—strike against weapons.

In weighing whether the Soviets are increasing their offensive strategic forces to achieve only parity in deterrent forces, we must take into account the fact that most of the Soviet ICBMs are armed with significantly larger warheads than are the warheads on U.S. missiles. We must compare the 20 to 25 megaton warhead, or the Soviet SS–9, with our own ICBM warheads which are only a fraction as large.

Thus, the Soviets, by deploying as many ICBMs as the United States, can potentially deliver a much larger megatonnage in an attack than we can with our ICBMs.

To keep the discussion in context, however, Mr. Chairman, we must remember that ICBMs constitute only a portion of the strategic weapons of either nation.

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[3] *Ante*, p. 2.

RELATIVE CONCENTRATION OF POPULATION AND INDUSTRY

Another important factor is the relative concentration of population and industry within the target country—or, in other words, the maximum number of targets which could qualify for a retaliatory strike.

Former Secretary of Defense Robert S. McNamara in testimony before the Defense Appropriations Committee as well as other committees here on Capitol Hill—and I remember his testimony very well—made an authoritative report to all of us in the Congress in his annual posture statement several years ago on this subject. He gave the relevant information on the comparative concentration of population and industry in the United States and the Soviet Union. This information in the form of tables, was presented in classified form to the committees of Congress in February 1965. I am sure the members of this committee are familiar with those very important tables.

In essence, the studies showed that U.S. population and industry are far more concentrated than are the population and industry of the Soviet Union. To give you an idea of the magnitude of the difference in concentration, Secretary McNamara's studies showed, for instance, that with 1,200 delivered warheads the United States could destroy 45 percent of the total Soviet population. On the other hand, the Soviet Union with 200 delivered warheads could destroy 55 percent of U.S. population. (These figures assume limited fallout protection in both countries.)

In other words, the Soviets, with only 200 delivered warheads could destroy a greater percentage of the population of the United States than our country, with 1,200 delivered warheads, could destroy of the Soviet population. The charts show similar proportions when measuring comparative industrial destruction.

I use these statistics and this material from Secretary McNamara's testimony because I believe it is relevant to our discussion today.

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SAFEGUARDING OUR DETERRENT FORCES

Mr. Chairman, and members of the committee, we have sufficient strength today in the combination of our strategic forces—our missiles, our bombers, and our Polaris capability—to respond to any attack that might be launched against the United States.

As Secretary of Defense, it is my obligation and my intention to keep it that way beyond any reasonable doubt. This is what the ABM discussion is all about.

And that is why we have no alternative but to protect our options to safeguard our deterrent forces. If the Soviet threat turns out to be, as the evidence now strongly indicates, an attempt to erode our deterrent capability, we must be in a position to convince them that a first strike would always involve unacceptable risks.

As I indicated earlier, the option of safeguarding our deterrent forces against the potential threat cannot be preserved by research and development alone.

Should the Soviet efforts suddenly cease, because of successful arms talks or for any other reason, the options for phased and measured

deployment of the Safeguard ABM system would not have to be exercised. In other words, except for work on the two initial sites, our proposed plan for Safeguard permits us to respond to the Soviet threat, not as we project it, but as it develops in the months and years ahead. We neither add to our weapons inventory nor do we incur the costs for a threat that possibly will not materialize.

We will also have a similar option if the Red Chinese ICBM threat develops, to provide protection for our people without deployment around our major cities during the decade of the 1970s.

Mr. Chairman, the estimate of our intelligence community is that the earliest the Red Chinese could have this kind of a capacity would be in the 1972–73 time period, and the estimate is that in the time period of 1975 and beyond, that the Red Chinese could have the capacity and the capability to have 15 or more missiles.

But the question here is that even if they have six—and we are talking about capabilities—this kind of a threat to our cities is an important thing to bear in mind. This particular ABM system gives us the same kind of area protection as the other system approved by the Congress, as far as the Chinese threat is concerned.

SAFEGUARD IS A DEFENSIVE SYSTEM

In summary, the proposed safeguard ABM system is, both in appearance and in fact, a defensive system. In addition, its proposed deployment is phased to the development, rather than any projection of the Soviet and Chinese threats. Our obviously thin protection of our populace and the added protection of our deterrent force will require no reaction at all from the Soviet Union—provided the Soviet Union has a responsible, *deterrent* nuclear war policy, as we do here in the United States.

Mr. Chairman, the Safeguard system is not a stumbling block to arms limiting talks with the Soviet Union. On the contrary; under the type of deployment which we have chosen, the Soviet Union is given an added incentive to negotiate a meaningful agreement on limitation of both offensive and defensive weapons. First, the modified ABM program would show the Soviets that we are very serious about protecting our deterrent forces—about assuring all enemies that they cannot achieve an effective, low-risk first strike against the United States. Second, it would show the Soviets that we are not preparing for a low-risk attack on them and that it is worthwhile to negotiate limits on strategic arms.

In terms of effect on the possibility of arms talks with the Soviet Union, our decision on the Safeguard system must be judged in the context of the *direction* we are moving, for that is the context in which the world, including the Soviets, must, and apparently do, evaluate our decision.

It is not as if we were starting anew on installing an ABM system. We are recommending that we change from what could be construed by many as a provocative deployment around our cities—the original Sentinel—to a defensive, and clearly nonprovocative, phased deployment. Unlike the original Sentinel, and the Soviet ABM deployment—

our direction with Safeguard is away from arms escalation. It underscores with action our avowed desire for effective arms limitation talks.

EFFECT ON ARMS CONTROL TALKS

In addition, under the proposed Safeguard program, even the first two installations will not be operating before 1973. This gives ample time for the two countries to negotiate agreements on these and other weapons. Thus, the modified ABM opens the door wider to mutual arms control.

But if the Soviets should slam the door on an agreement, the modified *ABM* would permit us to continue steps toward protection of our retaliatory forces. This option, Mr. Chairman, would be more important than ever before, because we would have to assume that a Soviet rejection of meaningful negotiations would demonstrate a Soviet determination to continue to build toward a low-risk, first-strike force.

The public Soviet reaction to President Nixon's announcement of a week ago is encouraging, however. The Soviet press indicates that its Government correctly views the modified ABM as a purely defensive weapon.

To restate what I said at the outset, all Americans should favor effective arms control agreements at the earliest possible time.

I congratulate the members of this Disarmament Subcommittee on its constant and its diligent efforts to contribute to the goal of arms control.

Peace, after all, is not only our objective; it is our solemn responsibility Mr. Chairman. The system we are proposing is the best kind of people protection because it strengthens our ability to deter war. To the extent that it does that, it can truly be called a building block for peace.

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Statement by ACDA Director Smith to the Eighteen Nation Disarmament Committee, March 25, 1969 [1]

7. I have listened with close attention to the statements that have been made by various representatives here since the opening of this session of our Conference and fully appreciate the concerns that have been expressed about the need to move forward with the work of our Committee. I share the hopes that this and subsequent sessions will be productive. I appreciate the opportunity to hear the observations of my colleagues here, both in formal meetings and in equally important private conversations.

8. Good will alone cannot create results. All of us know only too well that it is not enough to be for peace; we must also work for concrete measures that make for peace. Only through the constant efforts of people determined to change the world will we move forward to our common goals.

9. May I be permitted to make a personal comment? It was this kind of determined effort by the men who have served before me in

[1] ENDC/PV.397, pp. 4–13.

the United States Government that helped to make possible the achievements of the past few years. Bill Foster, my distinguished predecessor and long-time friend, and Adrian Fisher, whose able mind has contributed to the solution of so many problems, have helped members of this Conference to turn hope into reality. I shall seek to emulate them.

10. I wish at this time to make some general observations about our work and then to set forth the views of the United States on one of the items in our agenda.

11. First there is the question of where we are, and where and by what means we should go from here. Certain limited but still highly significant successes have been achieved in the past. I need not elaborate on these to this Conference, but we must not forget that the first steps are sometimes the most difficult. Moreover, our achievements have significance beyond their direct effects for they have started the process of bringing the nuclear arms race under some control. Certainly the world is different today from what it would have been without those agreements.

12. As for the future, progress on arms control and disarmament is a many-faceted undertaking. We need not and should not be forced into an arbitrary decision as to which area or measure should receive priority to the exclusion of others. Of course, we can determine which areas have a logical relationship to the foundations we have already laid and to our goals for the foreseeable future. My point is that we should not be rigid in our priorities.

13. I think this Committee can and should explore various measures concurrently. In that way our understanding can be increased and our differences reduced. It is to be hoped that some agreements can be reached without delay.

14. It is not fair or necessary to assume that the monopoly of the time of this Committee which the negotiations for the non-proliferation Treaty [2] produced will be repeated in connexion with some other arms control measure. There are few negotiations that are without complications, and I do not infer that our task in the future will be simple. However, it is important that we keep in mind that the non-proliferation negotiations were of a special kind. Some students of current history have said that, because of the variety of technical and political issues involved and the number of countries immediately affected, those negotiations were among the most complicated and involved international negotiations since the end of the Second World War. Therefore I believe that we should not be too concerned that any one measure might monopolize the attention of this Committee. We must try to move forward in all relevant areas while remaining alert to any opportunities to move forward more rapidly to the conclusion of a particular agreement. Any agreement we reach makes other possible accords less difficult and more probable.

15. President Nixon, in his letter which I submitted on 18 March, discussed areas which the United States believes merit particular attention.[3]

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[2] The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ante*, pp. 109–110.

16. There is common agreement, I believe, that the prospects for progress in one particular area lie in bilateral discussions. A number of representatives here have quite rightly referred to the importance of prospective strategic arms limitation talks. The critical significance of such talks in the efforts to bring the nuclear arms race under control is obvious. That the obligations of article VI of the non-proliferation Treaty are relevant in this regard no one would dispute. But I think it is important that we keep in mind that it is a question not merely of obligation, but rather of opportunity to control the nuclear arms race and thereby increase international security and reduce the burdens of the arms race, that is of greatest relevancy.

17. In this regard it should perhaps be pointed out that under the recent Administration of President Johnson the United States Government had made preparations and last August was ready and willing to commence such negotiations on strategic arms limitations. Now it is only prudent for the new Administration of my country to prepare itself thoroughly for negotiations that could be of a most sensitive nature, going to the heart of the strategic balance in the world and having a direct and central bearing on the mutual security of the United States, its allies, and indeed much of the world. In matters of this magnitude careful preparation is the greatest contribution that a nation can make to fruitful negotiations.

18. The question of timing is thus two-fold. The passage of some time is needed for the new Administration to make the necessary preparations; and the timing should be favorable in a political sense if even carefully prepared strategic arms limitation talks are to proceed with real promise of being productive.

19. At this point I should like to submit one additional thought which I would hope members of this Committee and their Governments would keep in mind. My Government is fully aware of the responsibilities which it, along with others, carries to make every effort to halt the nuclear arms race. Therefore in major national defence decisions taken in the present, and in the absence of relevant arms-control agreements, every effort is made to see that they are not provocative and that they will not make arms-control negotiations more difficult. This type of consideration, we believe, is also in the spirit of article VI of the non-proliferation Treaty.

20. With respect to the questions on the agenda of this Committee,[4] the United States, as I have indicated, will submit views during the course of this session which we hope will contribute to progress in our work. In particular, I hope we can have profitable and realistic exchanges on a comprehensive test ban and on the long-standing proposal for a cut-off in the production of fissionable material for weapons purposes. My delegation will return to these matters in later statements.

21. We have not failed to note the importance attached to progress towards a comprehensive test-ban treaty. This general concern is evident not only in the joint memorandum of 26 August 1968 submitted by eight members of this Conference[5] and in a recent resolution of the

[4] *Documents on Disarmament, 1968*, pp. 583–584.
[5] *Ibid.*, pp. 589–591.

United Nations General Assembly,[6] but also in the remarks of previous speakers during the present session.

22. My Government understands and shares the vital concern felt by others. President Nixon's message reaffirmed our commitment to the goal of a comprehensive test ban, adequately verified. To achieve adequate verification, the principles and techniques of verification methods, their capabilities and limitations must be understood and appropriately implemented in any comprehensive test-ban agreement. It is well known that we continue to believe that a certain number of on-site inspections are essential for adequate verification.

23. With respect to seismic research designed to improve seismic verification methods, I am gratified by the interest expressed so recently by Ambassador Sule Kolo of Nigeria[7] and Ambassador Porter of the United Kingdom[8] in the United States seismic investigation proposal which was set forth on 5 December 1968 by my predecessor, Ambassador Foster, in the First Committee of the General Assembly.[9] I can now say that in the course of this year there are two possible nuclear experiments in the United States Atomic Energy Commission's "Plowshare" programme that could be used in implementing our seismic investigation proposal. These experiments are research and development tests in the field of commercial application, and they will depend upon the working out of necessary arrangements with private concerns involved. Until such arrangements are final, data concerning them must be considered tentative.

24. As currently programmed, these two experiments are to take place in west-central Colorado. The first of these would be held in late May or June and the second towards the end of the year. The first experiment is conceived as a forty-kiloton explosion—with a possible upper limit of sixty kilotons—which is to take place in a type of sandstone at a depth of a mile and a half. The second would be similar to the "Gas Buggy" experiment, with which I am sure you are familiar. Its yield would be about twenty-six kilotons and it would be detonated at a depth of 3,300 feet—also in a form of sandstone. As final contract arrangements are completed, we will be in a position to make available more specific data on time, location, geological medium, depth and yield for these tests.

25. I think all delegations here have also given attention to the 1968 report on seismic detection and identification of underground nuclear explosions, drawn up under the auspices of the International Institute for Peace and Conflict Research at Stockholm (SIPRI).[10] The advances in seismic science described in that report were the product of research conducted in a number of countries represented here. We hope that such research will continue to be pursued diligently, and that the conclusions contained in this SIPRI report will be further refined. We believe this type of research will assist us in our task of achieving an adequately verified comprehensive test-ban treaty.

26. Today, however, I wish to set forth some substantive comments on another item on our agenda. I refer to the question of arms control

[6] *Ibid.*, pp. 796–797.
[7] ENDC/PV.396, p. 7.
[8] *Ibid.*, p. 11.
[9] *Documents on Disarmament, 1968*, pp. 769–770.
[10] *Ibid.*, pp. 455–458.

for the sea-bed. I should like to use my remaining time to present observations on this subject for two reasons. First, it is appropriate that various views on this subject should be submitted for consideration early in our session because this is a relatively new item. There is a background of facts, positions and views on several of the other items, but this item is not one where a full understanding of facts and attitudes of the various countries is at present available to form the basis for serious discussion. Therefore, it seems wise for the United States delegation at the outset to submit some comments on this subject, as the Soviet delegation submitted some views on this subject in the form of a draft treaty [11]—although my delegation does not believe we are quite at the stage where trying to agree on treaty language would be the best way to go about reaching an agreement.

27. Secondly, it is appropriate to discuss the sea-bed item now because there is intrinsic merit in our seeking to prevent a nuclear arms race on the sea-bed while there is still time. This has been called preventive disarmament or preventive non-armament. The significance of action to preclude new types of arms races from beginning should never be under-emphasized if we are to be successful in our efforts to halt the arms race. Our initial successes so far have been partial efforts to limit the arms race in some areas or to exclude other areas from arms competition. We have been trying with some success to fence in the arms race. This is true of the partial test-ban Treaty.[12] It is true of the Antarctic Treaty [13] and, in a more significant sense, of the outer space Treaty.[14]

28. If we ignore areas of potential arms development while exploring areas of present arms competition, we run the risk that the potentials for agreement in the areas where there is at present an arms competition may, as the moment of success draws nearer, be neutralized or upset by a developing arms competition in a new area.

29. There is a third and perhaps intangible reason why it would be important to reach agreement to prohibit nuclear weapons on the sea-bed. Even if such an agreement might not trench upon existing military competition, it could not help but have certain positive psychological and political effects upon the international scene.

30. May I therefore make some initial observations on the problem of preventing the sea-bed from becoming an area for the nuclear arms race?

31. We are all aware that in the past two years the international community has become increasingly interested in the possibilities of exploring and exploiting the vast resources of the sea-bed and the ocean floor. The United Nations General Assembly responded to this interest by establishing first an *Ad Hoc* Committee [15] and then a permanent Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction.

The United Nations has called upon the permanent Committee to—*inter alia*

> . . . study further, within the context of the title of the item, and taking into account the studies and international negotiations being undertaken in the field

[11] *Ante*, pp. 112–113.
[12] *Documents on Disarmament, 1963*, pp. 291–293.
[13] *Ibid., 1945–1959*, vol. II, pp. 1550–1556.
[14] *Ibid., 1967*, pp. 38–43.
[15] *Ibid.*, pp. 727–729.

of disarmament, the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor without prejudice to the limits which may be agreed upon in this respect.[16]

The request in that resolution that the sea-bed Committee should take into account international negotiations being undertaken in the field of disarmament is a clear indication that the Committee, now concluding its first working session in New York, will closely watch what progress is made here on the question of sea-bed arms limitations.

32. Technological advances are continually being made which increase the types and extent of operations on the sea-bed. At present the high cost of operating in this difficult environment has effectively limited commercial exploitation to relatively shallow waters. However, it seems clear that scientific and commercial activities will soon be moving into deeper waters. Likewise, as technical capabilities are developed and improved the possibility increases that the sea-bed could be used as a new environment for the emplacement of nuclear weapons and other weapons of mass destruction.

33. The United States is interested in taking realistic steps to prevent an arms race on the sea-bed. We are pleased that other delegations share an interest in working out an effective and viable international agreement. In this regard the draft treaty submitted to this Committee by the Soviet Union is being studied with great interest in Washington, and we expect to comment on it more fully at a future meeting.

34. In examining the question of arms control on the sea-bed we must consider that some sea-bed uses, such as communication and navigation aids, are for both military and non-military purposes. The existence of submarine fleets requires States to take action in self-defence, such as establishing warning systems that use the sea-bed. Moreover, much useful scientific research on the sea-bed is supported or carried out by military personnel using military non-weapons equipment. Therefore we must point out that complete demilitarization of the sea-bed would, in our judgement, be simply unworkable and probably harmful.

35. Moreover, the United States believes that it is completely impractical to try to prohibit conventional weapons on the sea-bed. Encumbering a sea-bed arms control measure with that type of prohibition would raise insuperable verification problems. Such considerations illustrate the need for a careful study of all the relevant factors in developing an acceptable agreement.

36. The United States offers the following criteria for consideration of a sea-bed agreement and would welcome the views of other delegations on these or other relevant factors.

37. First, the United States believes that the most urgent problem is the danger of the emplacement of weapons of mass destruction on the sea-bed. Such deployments, whether nuclear, chemical, biological or radiological in nature, should be banned. In view of the possibility that some State might make advance preparation for the sudden abrogation of any treaty ban of this nature, consideration should be given to whether sea-bed-based launching platforms and delivery vehicles for such weapons should be included under the ban.

[16] *Ibid., 1968*, pp. 802–804.

38. Second, the objective of the prohibition is to block deployment of specific weapons on, within, beneath or to the sea-bed. To achieve that, careful consideration must be given to the exact definition of the words "emplace or fix". We must consider whether they should apply only to permanent installations affixed to or implanted in the sea-bed, or also to containers or carriers whose principal mode of deployment or operation requires physical contact with the sea-bed. At the same time we should take care that the prohibition applies only to the sea-bed and not to the superjacent waters. The age-old doctrine of freedom of navigation is the foundation of international maritime law, and we must be certain that our agreement in no way infringes that freedom.

39. Third, in order to constitute a genuine and stable contribution to international peace and security, any arms control measure relating to the sea-bed should be of such a nature that the participating countries could feel confident that all participants were fulfilling their obligations. Verification of compliance could involve special problems in the geographically hostile environment of the sea-bed. Nevertheless, the United States, which has consistently supported the principles of adequate verification of arms control measures believes that some appropriate provision must be included in the agreement in order to provide the needed reassurances that all the provisions are being complied with. In this respect it may be desirable to draw on useful precedents of the outer space Treaty to establish a right of access and inspection. Such a right should be based on reciprocity and should not confer, or imply the existence of, any right or power to veto proposed visits.

40. As in outer space, the difficulties of the environment probably require that representatives should give reasonable advance notice of a projected visit. That would permit maximum precautions to be taken to avoid dangers to personnel and the disruption of the normal operations of the equipment or the facility.

41. Consideration of the verification question also demonstrates the need to restrict the scope of the prohibition to weapons of mass destruction, since otherwise the task of inspecting the multitude of present and future facilities would be beyond capabilities.

42. Fourth, one of the most difficult questions is the definition of the boundaries beyond which the prohibition would apply. Regardless of the method which might be agreed, the United States believes that the goal should be to apply the arms control measure to as broad an area of the sea-bed as possible; therefore the prohibition should, we think, apply to the sea-bed beyond a narrow band along the coasts of States. To the extent possible, the method chosen to define that band should provide ease of determination and uniformity of interpretation, and should be equitable in its application. For example, the zone could be defined by several methods such as:

(1) A specified horizontal distance from the coast;

(2) The use of a specified isobath or depth limit which would generally follow the contour of the sea-bed; or

(3) As some have suggested, a method based on the outer limits of national jurisdiction derived from either sovereignty or sovereign

rights. This approach, at first glance, would appear feasible because it is based on existing boundary claims. However, the differences in the international community regarding the legitimate extent of such claims would result in gross inequities and would weaken the effect of the measure by excluding wide areas of the sea-bed from the zone of application.

43. Those are some of the considerations which will need to be discussed before an effective international agreement can be worked out, and we urge the Committee to undertake such discussions as soon as possible. In this way we shall be doing what the world community expects of us: seeking ways to prevent the spread of weapons of mass destruction to new environments, and at the same time helping to ensure that the potential for peaceful purposes of this great area of our planet will be enhanced. If we can do this much, it will be no small accomplishment. In effect, we shall have placed nearly 70 per cent of the earth's surface off-limits to the arms race and shall have achieved a significant restraint on the deployment of weapons of mass destruction.

44. I am sorry I have had to make a rather lengthy statement today, particularly in view of the fact that there are still two representatives on the list of speakers for today. I did, however, wish to set forth the considerations in my statement, since I shall have to return for a time to Washington, where, as you know, I have the responsibility of heading a Federal Agency. Since I only recently assumed this position, the obligations requiring my presence in Washington are obviously greater than will normally be the case. I am glad to say that after my departure the United States delegation will be headed by Mr. Adrian Fisher, whose abilities and whose contributions in the past are well known to members of this Committee. I hope that through deliberations in this Committee we shall move forward to new agreements. While I am in Washington I shall devote my efforts to ensuring that the United States contribution to that task is a positive one.

45. Finally, on behalf of my delegation I should like to welcome the return to this Committee of the doyenne of our disarmament negotiations, Mrs. Myrdal, and to express our pleasure in having the Under-Secretary of State for Foreign Affairs of Italy, Mr. Zagari, with us today. I should also like to thank other representatives for their warm words of welcome to me.

Statement by Secretary of State Rogers to the Senate Foreign Relations Committee: Preparations for Strategic Arms Limitation Talks [Extracts], March 27, 1969 [1]

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I am aware, Mr. Chairman, that there has been some questioning and some criticism on disarmament grounds about the President's decision

[1] *Department of State Bulletin*, Apr. 14, 1969, pp. 308–309.

to proceed with the development of the Safeguard system.[2] Specifically, the concern has been expressed that the decision might escalate arms expenditures or so concern the Soviet Union that it would seriously undermine the prospects of talks.

The foreign policy implications of such a decision—in particular the reaction of the Soviet Union and the impact of the decision on possible arms talks—were a central consideration in the National Security Council's deliberations which preceded the President's decision. We came to the conclusion that the decision would have no adverse effect on disarmament talks.

The Soviet Union, as you know, had itself already constructed a limited system around Moscow; it had also agreed to strategic arms talks following the previous administration's decision on the Sentinel program. In fact, as you recall, when President Johnson announced his decision, a week later the Soviet Union agreed to strategic arms limitations talks. The Soviet press also quoted President Nixon's favorable references to arms talks when he announced his decision on the Safeguard system, and Premier Kosygin recently referred affirmatively to limitations on strategic arms in his message to the ENDC.[3] In other words, his message was after the President's decision was announced, and there was no indication from Kosygin that it would interfere with the success of those talks. As you know, the Safeguard system will not really become operational until 1973. It will be subject to an annual review and appraisal, in which, as the President said, one of the principal factors will be the status of talks on the limitation of strategic arms.

As a matter of fact, in our discussions in the Security Council, I pressed this point and it was determined this would have no adverse effects upon these talks. In our talks with representatives of the Soviet Union there has been no discussion or any suggestion that this decision would affect the initiation of talks or the successful outcome of talks. Negotiations, of course, on strategic arms have not yet started, and their outcome is, of course, uncertain. It should also be clear that both we and the Soviet Union expect such talks to cover both defensive and offensive missiles. In other words, there has never been any intention to limit what kind of weapons we would discuss when we begin talks on offensive and defensive weapons. The fact is that we cannot predicate our security decisions that have to be made now on the potential success of future endeavors in the disarmament field.

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The President made clear that we are prepared to listen with new attentiveness to the views of our allies and that we plan to consult with them on all matters of mutual concern. He particularly emphasized that there will be ample consultation and a full consideration of their interests before and during any negotiations we undertake with the Soviet Union.

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[2] See *ante*, pp. 102–105.
[3] *Ante*, p. 111.

Swedish Working Paper Submitted to the Eighteen Nation Disarmament Committee: Possible Provisions of an Underground Test-Ban Treaty, April 1, 1969 [1]

The States concluding this Treaty, hereinafter referred to as the "Parties to the Treaty",

Declaring their intention to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament,

Urging the co-operation of all States in the attainment of this objective,

Recalling the determination expressed by the Parties to the 1963 Treaty banning nuclear weapon tests in the atmosphere, in outer space and under water in its preamble to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and to continue negotiations to this end,[2]

Convinced that a continued testing of nuclear weapons brings about unforeseeable consequences in regard to imbalance and mistrust between States and causes immense diversion of human and material resources for purposes of war,

Heeding the appeals of the General Assembly of the United Nations for the suspension of nuclear weapon tests in all environments,

Affirming the principle that the benefits of peaceful applications of nuclear technology, including any technological by-products which may be derived by nuclear-weapon States from the development of nuclear explosive devices, should be available for peaceful purposes to all Parties to the Treaty, whether nuclear-weapon or non-nuclear-weapon States.

Affirming also the principle that resources, freed by measures of arms control and disarmament, should be channeled, to the greatest extent possible, to social and economic development, particularly of developing countries,

Declaring their intention to conclude, at the earliest possible date, a separate international agreement regarding nuclear explosions for peaceful purposes.

Have agreed as follows:

Article I

1. Each State Party to this Treaty undertakes to prohibit, to prevent and not to carry out any underground nuclear weapon test explosion, or, subject to the exemption embodied in paragraph 3, any other underground nuclear explosion, at any place under its jurisdiction or control.

2. Each State Party to this Treaty undertakes, furthermore, to refrain from causing, encouraging or in any way participating in, the

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[1] ENDC/242, Apr. 1, 1969.
[2] *Documents on Disarmament, 1963*, pp. 291–293.

carrying out of any such nuclear weapon tests explosion, or any such other nuclear explosion.

3. The provisions of paragraphs 1 and 2 of this Article do not apply to explosions which are carried out for construction or other peaceful purposes and which take place in conformity with an international agreement to be negotiated separately.

Article II

1. Each State Party to this Treaty undertakes to co-operate in good faith to ensure the full observance and implementation of this Treaty.

2. Each State Party to this Treaty undertakes to co-operate in good faith in an effective international exchange of seismological data in order to facilitate the detection, identification and location of underground events.

3. Each State Party to this Treaty undertakes to co-operate in good faith for the clarification of all events pertaining to the subject matter of this Treaty. In accordance with this provision, each State Party to the Treaty is entitled

a) to make inquiries and to receive information as a result of such inquiries,

b) to invite inspection on its territory or territory under its jurisdiction, such inspection to be carried out in the manner prescribed by the inviting Party,

c) to make proposals, if it deems the information available or made available to it under all or any of the preceding provisions inadequate, as to suitable methods of clarification.

4. Each State Party to this Treaty may bring to the attention of the Security Council of the United Nations and of the other Parties to the Treaty that it deems another Party to have failed to co-operate to the fullest extent for the clarification of a particular event.

Article III

1. Any Party to this Treaty may propose amendments to this Treaty. The text of any proposed amendment shall be submitted to the Depositary Governments which shall circulate it to all Parties to the Treaty. Thereupon, if requested to do so by one-third or more of the Parties to the Treaty, the Depositary Governments shall convene a conference, to which they shall invite all the Parties to the Treaty, to consider such an amendment.

2. Any amendment to this Treaty must be approved by a majority of the votes of all the Parties to the Treaty, including the votes of all nuclear-weapon States Party to this Treaty. The amendment shall enter into force for each Party that deposits its instrument of ratification of the amendment upon the deposit of instruments of ratification by a majority of all the Parties, including the instruments of ratification of all nuclear-weapon States Party to this Treaty. There-

after, it shall enter into force for any other Party upon the deposit of its instrument of ratification of the amendment.

Article IV

1. This Treaty shall be open to all States for signature. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and instruments of accession shall be deposited with the Governments of . . . . . which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after its ratification by the States, the Governments of which are designated Depositaries of the Treaty, and . . . . . other States signatory to this Treaty and the deposit of their instruments of ratification.

4. For States whose instruments of ratification or accession are deposited subsequent to the entry into force of this Treaty, it shall enter force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall promptly inform all signatory and acceding States of the date of each signature, the date of deposit of each instrument of ratification or of accession, the date of the entry into force of this Treaty, and the date of receipt of any requests for convening a conference or other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article V

This Treaty shall be of unlimited duration. Each Party shall in exercising its national sovereignty have the right to withdraw from the Treaty, if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Article VI

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the signatory and acceding States.

In witness whereof the undersigned, duly authorized, have signed this Treaty.

Done in _____ at _____ this _____ day of _____

Statement by the Swedish Representative (Myrdal) to the Eighteen Nation Disarmament Committee: Comprehensive Test Ban, April 1, 1969 [1]

7. After seven relatively lean years it is necessary for the Eighteen-Nation Committee on Disarmament to step up its rate of production. I am planning to draw attention today to one subject on which, in the view of my delegation, progress is most urgent, namely the comprehensive test ban. I am returning to this issue, although in session after session my delegation and others have been contributing concrete suggestions in order to facilitate agreement, only to see them turned down by the main Powers. The subject is, however, too vital to be left aside only because earlier attempts at solutions have not been successful.

8. As I pointed out in my previous intervention in the Committee [2] we have an urgent mandate from the General Assembly of the United Nations to elaborate a treaty banning underground nuclear-weapon tests.[3] In our agreed agenda of August last year such a treaty is placed under the heading with the highest priority.[4] It would be shirking our clear responsibilities if we did not devote a major proportion of the time available to trying finally to complete the Moscow Treaty [5] which, as we all know and as its own preamble admits, was meant to be but a step towards a comprehensive test ban.

9. Work on a complete test ban must proceed hand in hand with the negotiations on limiting strategic nuclear-weapon systems. Having already been so well prepared in its technical aspects, the test ban ought in fact to proceed somewhat in advance of the major decision. Securing such a ban would considerably alleviate some of the control problems connected with that other agreement: hardly, of course, with that part of it concerned with freezing the deployment of the weapon systems concerned, but certainly with limiting further developing of the weapons themselves.

10. Many of the test shots now resounding throughout the globe are signs of development work—for instance, on so-called "penetration aids", on combinations of multiple independently targeted missiles and on other offensive-weapon systems. It should be self-evident that if the test activity, which is now being recorded by us or by others, were made non-existent by a comprehensive test ban the confidence that new weapon developments were not to surprise the world would be immensely enhanced. That no ban ensures one hundred per cent security is another matter, a weakness of a kind that we seem to have to live with in all human affairs.

11. In this connexion one other matter must be mentioned, namely, the obviously increasing frequency of radioactive leakages from underground tests, also across borders. When such radioactive debris has fallen over my country we have reacted, and shall continue to react, by notifying the government concerned. It seems that other such leakages

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[1] ENDC/PV.390, pp. 5–14.
[2] ENDC/PV.397, pp. 25–26.
[3] *Documents on Disarmament, 1968*, pp. 796–797.
[4] *Ibid.*, pp. 583–584.
[5] *Ibid.*, *1963*, pp. 291–293.

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occur elsewhere. In reality they constitute violations of the Moscow Treaty. However insignificant in radioactive yield and however technical in nature these violations have been so far, all signatories of the Moscow Treaty must be alert so as not by passivity to seem to condone explosions that result in leakages. This issue will take on greater practical significance in relation to the so-called peaceful explosions. Even when such projects may appear enticing they should not be allowed to proceed if they endanger an absolute adherence to international obligations. This matter, in reality, constitutes yet another reason for establishing a water-tight, comprehensive ban also covering underground nuclear explosions and for providing, in a separate international agreement, for some form of international licensing of exceptions in the case of certain explosions of recognized peaceful value.

12. In the past, the attempts on the part of most delegations at solutions of the underground test-ban problem have been concentrated on the control issue. It was felt that if only a satisfactory solution were found in the matter of verification, a treaty prohibiting the underground nuclear tests would be easily achieved. It is my strong conviction, in spite of assertions to the contrary by some Powers, that the technical control issue cannot be regarded as the decisive problem. The crux is political.

13. The prospects are, however, now becoming brighter for completing the test ban, as such a ban will be a very desirable part of the arrangements needed to maintain the strategic arms limitation which we hope is about to be negotiated. This political necessity should provide enough political momentum to produce the political concessions by the nuclear-weapon Powers which are required to achieve agreement on the test ban and to establish a viable control system. For the non-nuclear-weapon States, adherence to a comprehensive test ban as well as to the non-proliferation Treaty [6] would mean placing a double lock on their undertaking to remain nuclear-weapon-free.

14. In order to be able to advocate properly the political concessions required I shall first, as briefly as possible, remind the Committee of the impressive increase in recent years of our understanding of the possibilities of seismological methods to monitor a ban on underground nuclear explosions, an understanding that has been obtained from the international scientific community through individual work in several countries and through joint discussions in various forums.

15. In 1967 the Swedish delegation initiated a renewed discussion of the technical and political aspects of the underground test ban control issue by advancing an analysis, by decision theory, of the seismological identification methods available. I am referring to document ENDC/PV.309.[7] A description of this analysis was given in the Swedish memorandum of 19 July 1967 [8] and further explanations were proffered by us in the ensuing debate [9] in which the United States,[10] the United Kingdom [11] and Canada [12] offered further technical argu-

[6] *Ibid.*, *1968*, pp. 461–465.
[7] *Ibid.*, *1967*, pp. 272–278.
[8] *Ibid.*, pp. 305–309.
[9] *Ibid.*, pp. 310–312.
[10] *Ibid.*, pp. 294–298, 322–325.
[11] ENDC/PV.319, pp. 5–10.
[12] ENDC/PV.332, pp. 4–9.

ments. In February 1968 the Swedish Defence Research Institute distributed a report containing a detailed description of our scientific analysis and the results so far obtained.[13]

16. It is important to note that the purpose of test ban control was envisaged by us not as having the intelligence aim of obtaining complete information or the aim of providing judicially conclusive evidence but rather as having the aim of deterring a prospective violator from concealed testing by presenting him with a sufficient probability of being exposed.

17. This purpose entailed exploitation of the statistical properties of the seismological identification criteria in order to determine in advance a "decision level", as it is called, at which a seismic event had to be acted upon politically either as an earthquake or as an explosion. In this process it becomes inevitable to strike a compromise assuring, on the one hand, a sufficient probability to make correct decisions about explosions and, on the other hand, a sufficient probability of avoiding false alarms about earthquakes.

18. We then submitted to analysis first the case in which control would rely on obligatory inspections. Application of this analysis to data then published about seismological identification methods showed that what appeared to us to be a satisfactory deterrence could be obtained with far fewer inspections per year than earlier suggested, in the order of one inspection per year.

19. Next, it was revealed that such a deterrence effect could be available also by using control without obligatory inspections, if one allowed for a certain rate of false alarms, fewer than one in ten years. Such false alarms, which may lead to an unjustified accusation, are impossible to exclude in connexion with seismological test ban control. But the solution of the practical problem in the case of control without obligatory inspections consists in making the false alarms extremely rare occurrences. For those occasions the control procedure of the treaty should provide ways for the accused Party to clear himself, including the possibility, as envisaged in our scheme for verification-by-challenge, to invite an on-site inspection.[14]

20. From the discussions in 1967 and 1968 it appeared that the main limitation of our proposal was that it did not cover the so-called "magnitude gap" between 4.5 and 4. I am referring specifically to the statement by the United States representative contained in document ENDC/PV.320, paras. 57 *et seq.*[15] This range is usually thought to comprise explosions in hard rock of yields from some 10–20 kilotons down to about one kiloton. In this range, long-distance seismological methods, which would be able efficiently to identify explosions and earthquakes, were lacking.

21. In 1968 there was a new turn of events. Some of the outstanding issues were discussed at a meeting of scientists from several countries, including the United States, the Soviet Union and France. A summary report from this meeting, convened by the Stockholm International Institute for Peace and Conflict Research (SIPRI), has been

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[13] *Seismological Test Ban Control* (Stockholm, 1968).
[14] *Documents on Disarmament, 1966*, pp. 130–139.
[15] *Ibid., 1967*, pp. 324–325.

circulated as document ENDC/230 and has been quoted many times by several delegations here.[16]

22. The SIPRI study concerns itself only with the seismological conditions for controlling a test ban without obligatory inspections, termed "detection and identification by seismological means only". It states that the so-called world-wide standard seismic network of conventional seismographic stations separates clearly the waves from explosions in granite with yields down to 20–60 kilotons from those generated by earthquakes. This corresponds roughly to the upper end of the magnitude gap I have just mentioned, and the summary report goes on to say that British, Canadian, American and Soviet research indicates separation possibilities well down into the magnitude gap.

23. We note that these summary conclusions are consistent with an essential part of our own earlier conclusions.

24. In this Committee the political reactions to the unanimous scientific conclusions in the SIPRI summary report were not unanimous. The representative of the Soviet Union Ambassador Roshchin, said in his statement on 1 August 1968:

> Given modern national seismic instruments, practically no country can carry out an underground nuclear-weapon explosion secretly without incurring the risk of being exposed as a violator of an important international agreement. The only thing needed to reach agreement on the cessation of underground nuclear-weapon tests is a political decision by governments . . .[17]

Already in his statement on 16 July 1968 the Soviet representative had said:

> The Soviet Government is ready to come to an agreement immediately on the prohibition of underground nuclear tests on the basis of using national means of detection for control over this prohibition.[18]

25. In his statement to the First Committee of the United Nations General Assembly on 5 December 1968 the representative of the United States, Ambassador Foster, said that the technical inability to distinguish at long distances between explosions and earthquakes in ranges of fairly low yields but with great military significance could not be dismissed, "no matter how much some might value the political advantages of doing so".[19] In the letter from President Nixon to the United States representative read out by Ambassador Smith at the opening meeting of our Committee this year it is said that:

> . . . the United States supports the conclusion of a comprehensive test ban adequately verified. In view of the fact that differences regarding verification have not permitted achievement of this key arms control measure, efforts must be made toward greater understanding of the verification issue.[20]

26. The decision as to what constitutes "adequate" verification is certainly ultimately a political decision even if it ought to be made on the basis of extensive scientific and technical considerations. In our theoretical approach to the control question, as referred to above, we made this quite clear.

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[16] *Ibid., 1968*, pp. 455–458.
[17] *Ibid.*, p. 556.
[18] ENDC/PV. 381, p. 14.
[19] *Documents on Disarmament, 1968*, p. 768.
[20] *Ante*, p. 110.

27. One may now ask whether the technical possibilities can be improved in the foreseeable future or not. I shall certainly not enter into any detailed predictions as to what scientific and technological advances will be forthcoming. However, already at the stage of last summer's meeting of scientific experts, as described in the full report of the Stockholm International Institute for Peace and Conflict Research, several promising roads to improvement were pointed out, such as by further exploitation of the depth at which an event takes place, by the sense of first motion recorded, by frequency content in seismic waves, by excitation of shear waves, by complexity, by improved methods of surface wave detection, by more study of the relative excitation of surface and body waves by earthquakes and explosions, by applying the methods of pattern recognition to earthquakes and by statistical treatment of identification criteria for decision applications.

28. Apart from that quite promising list, I should like to point out that the SIPRI study did not take into account at all the very powerful array stations already existing or soon coming into service. They should provide a considerable improvement in capabilities for teleseismic identification. My country expects to get a smaller station of this kind into service in the near future as a modest contribution to the research capabilities in this field.

29. The SIPRI report concerned itself a great deal with identification by comparison of long surface waves and short body waves, the former running along the surface of the earth and the latter through the deep interior of the earth, and it was on the basis of this method that the above-mentioned summary conclusion about the 20–60 kiloton limit for clear separation was drawn. I have been advised that a closer investigation of these data as presented at the SIPRI meeting—closer than was possible during the short time available to the meeting—shows great differences between the results obtained by different investigations, apparently dependent on where the events took place, where the observations were made and what instruments were employed. The very difference between the United States and the Soviet type of instrumentation seems to play an important and confusing role.

30. We hope that this matter will be investigated in detail by the utilization in direct comparison of both types of instruments. Some of the data in the SIPRI report when extrapolated, showed very promising capabilities of covering the above-mentioned magnitude gap. I understand that the sensitivity of this identification method is much improved when the distance between observatory and event is decreased. This makes measurements at regional and local distances very important in comparison with measurements at teleseismic distances, on which most of the emphasis of the discussion on test-ban control techniques has been placed in recent years.

31. Practical gains of considerable value could be derived from improvements in regard to properly located stations of the classical, or anyway some fairly simple, model, as was also recommended in the SIPRI report. Regional and local data could also be obtained by the use of some variety of automatic and sealed stations, as has been dis-

cussed earlier in this Committee. Other gains of great practical value would be won from the use of an efficient data exchange, as proposed by us repeatedly since 1965, transmitting the required regional and local data to other countries. It would seem that the impressive development of communication via satellites might be useful for the distribution of data from these stations.

32. Both those measures—more stations and more data exchange—would very quickly entail, I think, a large improvement in the present control capabilities. They would constitute a practical infrastructure for the scientific analysis going forward. Financially the improvement of verification possibilities would be an unimportant matter compared to the cost of nuclear-weapon testing.

33. All this being said, I want to stress that a decision on the test ban need not wait for the completion of technical studies and installations.

34. After having been so specific and having given in such detail our estimate of the scientific and technical situation, I hope that my fellow representatives will excuse me if I repeat that I find it difficult to accept the thesis that remaining uncertainties in this field can constitute sufficient reason why the Committee has not been able so far to present to the world the text of a treaty banning underground nuclear-weapon tests. No, the reason is simply, I am convinced, that the political will to agree has been lacking, in spite of all the assurances to the contrary that we have heard both in the Eighteen-Nation Committee on Disarmament and in the United Nations. Of course, I do not underestimate the reasons behind this apparent lack of readiness to act. Military demands for continuation of tests are obviously going to be maintained as long as the super-Powers fail to initiate and vigorously pursue the bilateral discussions on a limitation of nuclear weapon systems. The reluctance to give up testing of nuclear explosives may also be connected with the much-publicized expectations as to the utilization of such explosions for peaceful purposes. A further factor for not closing down facilities for development of new weapon models may be fear of a future destabilization of the military balance, due to the emergence of important nuclear weapon capabilities in States which do not take part in the international disarmament negotiations.

35. This, however, can clearly not account for more than a minor part of the activities going on in the field of underground testing; the techniques—even if operationally kept in mothballs—will not be obliterated from the fund of knowledge already built up. Consequently, none of the factors enumerated should be sufficient reason for the super-Powers, with their terrifying capacity to annihilate each other and, theoretically, to "overkill" all humanity, not to come soon to an agreement on a comprehensive test ban.

36. I would suggest that new methods to probe the readiness of the main Powers to come to a solution should now be tested. One such method would be for some delegation to put forward a complete structure of a treaty text. Someone may say that this is not proper, that in the past such initiatives have always been left to one or both of our

co-Chairmen. To such a critic I should like to answer that for years now we have been waiting for such an initiative on this item, but that none has been forthcoming—and we all share the responsibility for action.

37. After having had a number of private consultations with other delegations, my delegation therefore is today taking the unusual step of putting forward a working paper in which suggestions as to the contents of a treaty banning underground nuclear weapon tests are reproduced.[21] The title of the paper should give an indication of the modesty with which this is being done. I must underline that we do not wish to bind any delegation—not even our own—to any particular wording of the various articles. For most parts of the text we have found it expedient to use more or less the same language as in some of the existing disarmament treaties. We shall, however, greatly welcome suggestions as to any other wording which would be more technically adequate and which could be more speedily accepted.

38. The main purpose of our action today is to ensure that the deliberations on this vital subject are made more specific, and to give an incitement to the co-Chairmen to present their views.

39. Let me briefly present the text of our paper, which is now before the Committee. As I have said, we have followed the general principle of using, whenever possible, the language of existing multilateral treaties in the disarmament field, chiefly the partial test ban Treaty and the non-proliferation Treaty, as a pattern for the provisions in this text. Members will thus find in the preamble several paragraphs which have been taken out of the non-proliferation Treaty.[22] One of its paragraphs has been taken from the joint memorandum on the test ban put forward by the eight non-aligned delegations in 1966.[23]

40. Looking at the substantive parts of our proposed draft, we see that paragraphs 1 and 2 of article I are in essence identical with the corresponding provisions of the partial test ban Treaty. Consequently, all underground nuclear explosions are forbidden. In paragraph 3 of article I there is a reference to a possibility to exempt from the total ban peaceful explosions if carried out in conformity with a special international agreement to be negotiated separately. This article is therefore in complete harmony with the non-proliferation Treaty, where a similar provision concerning peaceful explosions is to be found in its article V.

41. Article II contains the crucial provisions on control. It consists of four paragraphs. In the first, the parties undertake in a general manner to co-operate in good faith to ensure the implementation of the treaty. In the second, all parties pledge themselves to co-operate in an effective international exchange of seismological data—an idea for co-operation between national networks supported so many times here and in the United Nations by a vast majority of States. In the third paragraph a series of measures are set out, intended to lead to clarifica-

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[21] *Supra.*
[22] *Documents on Disarmament, 1968,* pp. 461–465.
[23] *Ibid., 1966,* pp. 574–576.

tion of uncertain underground events. The individual measures form parts of a step-wise system, which we think will give all parties a sufficient degree of confidence in its applicability. The measures are

(a) the right to make inquiries and receive information as a result of such inquiries;

(b) the right to invite inspection on one's territory in a manner prescribed by the inviting party;

(c) the right to make proposals as to suitable methods of further clarification.

The measures under (a) and (b) are intended to enable a suspected government to free itself of suspicions. This possibility has to be seen in the light of the extreme rarity of such occasions—as I indicated earlier, fewer than one in ten years, according to our estimate. The procedure under (c) leaves open other possibilities of action if a party deems that the earlier measures have not been sufficient. This corresponds to a sequence of simple rules, reflecting a procedure which seems normal in all cases of contested evidence and which we have sometimes called "verification by challenge". The fourth paragraph of article II enables any party which has not been convinced by these methods of the nature of a particular event to bring the matter before the Security Council and the other parties to the treaty.

42. This whole procedure, together with the provisons in article V regarding withdrawal from the treaty, which are identical with those in the partial test ban Treaty and the non-proliferation Treaty, constitutes, as we see it, a balanced set of rules which will prevent parties from trying to conduct any tests secretly.

43. The main features of article III, concerning amendments, are taken from the non-proliferation Treaty.

44. Article IV contains rules on signature, ratification, entry into force and registration. It utilizes in essence the same language as article IX of the non-proliferation Treaty. We have left open at present the names of the depositary governments and the number of ratifications, in addition to those of the depositary governments, needed to bring the treaty into force.

45. Article V indicates that the treaty should be of unlimited duration. Of the provison in the same article regarding the right of withdrawal I have already spoken.

46. The last article, article VI, contains the usual provisons regarding languages and deposition.

47. I shall not go any further in my intervention today. Let me conclude by repeating that our main purpose has been to make the debate come more to the point. We invite all other delegations to express their views, to support, to supplement or, as the case may be, to criticize. A full and detailed discussion is needed, and that as soon as possible. It goes without saying that the participation in such a debate of the delegations of the nuclear-weapon Powers is particularly important. But, as I have already stated, we cannot just wait. The multitude of nations desiring progress in regard to nuclear disarmament does not allow us to remain passive.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee: Demilitarization of the Sea-Bed, April 3, 1969 [1]

2. At the Committee's meeting on 18 March we set forth in general outline the position of the USSR on the problems of disarmament and the cessation of the arms race.[2] In our subsequent statements we intend to deal in greater detail with our position on individual disarmament measures put forward in the Memorandum of the Soviet Government of 1 July 1968.[3] Today it is our intention to explain the Soviet position on the question of prohibiting the use of the sea-bed and the ocean floor and the subsoil thereof for military purposes. To supplement and expound at greater length what we said at the above meeting of the Committee, we should like to dwell on the contents of individual provisions of the draft treaty on that question submitted by the Soviet Union for the Committee's consideration,[4] and to put forward some comments and considerations in connexion with the statements made by other delegations.

3. We note with satisfaction that the draft treaty submitted by the Soviet Union has attracted the attention of the members of our Committee and has been assessed positively in the statements of several representatives, in particular the representative of Nigeria, Ambassador Sule Kolo [5]; the representative of Sweden, Mrs. Myrdal [6]; the representative of Bulgaria, Ambassador Christov [7]; the representative of Poland, Ambassador Jaroszek [8]; and the representative of Czechoslovakia, Ambassador Klusak.[9] The urgency of the question of prohibiting the use of the sea-bed and the ocean floor for military purposes has been pointed out in the statements of many representatives in the Committee. We share that point of view.

4. The problem of prohibiting the use of the sea-bed and the ocean floor for military purposes should be solved now, when the arms race on the sea-bed has not yet developed to the same extent as in many other areas. At the same time, it would be wrong to assert that the problem of the use of the sea-bed for military purposes is of little or no urgency since the sea-bed and the ocean floor are not yet being used for military purposes. Information already exists that the military authorities of certain countries are elaborating far-reaching plans for using the sea-bed and the ocean floor for military purposes, including the emplacement of various military objects there, particularly on the submerged areas of the continental shelf, which are now more accessible.

5. Thus, the use of the sea-bed and the ocean floor for military purposes is already included in the long-term military plans of the

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[1] ENDC/PV.400, pp. 4–14.
[2] *Ante*, pp. 114–121.
[3] *Documents on Disarmament, 1968*, pp. 466–470.
[4] *Ante*, pp. 112–113.
[5] ENDC/PV.396, p. 5.
[6] ENDC/PV.397, p. 27.
[7] ENDC/PV.398, p. 10.
[8] ENDC/PV.399, pp. 19–20.
[9] *Ibid.*, p. 26.

NATO countries. This is confirmed by press reports. Thus the United States magazine *U.S. News and World Report* wrote in October 1967 that the planning bodies of the Navy were working intensively on the problems of the post-1975 period, seeking possibilities of increasing or replacing the 'Poseidon' arsenal.[10] One of the ideas was to place under water, close to the enemy's coast, remote-controlled missiles enclosed in containers. The missiles would be fixed to the sea-bed, but would be movable.

6. According to the United Kingdom military magazine *Journal of the Royal United Services Institution* (No. 651, 1968, pp. 193–201), the NATO countries also consider the use of the sea-bed for the emplacement of means of counter-submarine warfare to be very promising.

7. Experience of the development of international life shows that any discovery in the field of military technology invariably entails dual consequences. First, each side endeavours to acquire the weapons which its potential enemy possesses or plans to create; secondly, the improvement of offensive means lead to the improvement of defensive means and that, in turn, induces the opposing side further to improve its offensive means, and so on *ad infinitum*. The plans now being elaborated in the NATO countries for the use of the sea-bed and the ocean floor for military purposes will inevitably lead to the result that other States, in order to safeguard their own security, will be compelled to develop similar types of weapon. Thus, the facts show that the danger of the sea-bed becoming yet another area of the arms race in the fairly near future is entirely real.

8. Nevertheless, we are convinced that such a development of events is not inevitable. There is another alternative, and that is to ban completely, without waiting for the arms race in this field to begin, the military use of the sea-bed and the ocean floor and the subsoil thereof, and to conclude an international agreement guaranteeing the demilitarization of the sea-bed and the ocean floor and the subsoil thereof. Desiring to contribute to the accomplishment of that aim, the Soviet delegation has submitted, on behalf of its Government, a draft treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.

9. The draft treaty provides for the complete exclusion of the aforesaid area from the military activities of States. Article 1 of the draft treaty reads as follows:

> The use for military purposes of the sea-bed and the ocean floor and the subsoil thereof beyond the twelve-mile maritime zone of coastal States is prohibited.
>
> It is prohibited to place on the sea-bed and the ocean floor and the subsoil thereof objects with nuclear weapons or any other types of weapons of mass-destruction, and to set up military bases, structures, installations, fortifications and other objects of a military nature.

Thus, any military activity by States on the sea-bed and the ocean floor would be unconditionally prohibited and outlawed.

10. We are profoundly convinced that this measure meets to the greatest extent the interests of curbing the arms race. The assumption of this obligation by States would mean one more step in the direction

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[10] *U.S. News and World Report*, Oct. 16, 1967, p. 39.

of widening the areas in which military activity is prohibited. This would be a useful continuation of the efforts which resulted in the conclusion in 1959 of the Antarctic Treaty [11] providing for the exclusively peaceful use of that continent and in the signing in 1967 of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and other Celestial Bodies,[12] under which the moon and other celestial bodies are to be used only for peaceful purposes.

11. The conclusion of an international agreement on the demilitarization of the sea-bed would help to bring about a favourable climate for reaching an agreement on other disarmament measures. The complete prohibition of military activities by States on the sea-bed and the ocean floor is in keeping with decisions already adopted by the United Nations General Assembly, particularly resolution 2467 (XXIII). May I remind representatives that this resolution mentions, among other tasks assigned to the Committee concerning the peaceful uses of the sea-bed and the ocean floor, the need "to study further . . . the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor". We should like to draw the attention of members of the Committee to the word "exclusively".[13] Thus, it follows quite clearly from the aforesaid resolution that our Committee has the task of ensuring the complete prohibition of military activities by States on the sea-bed and the ocean floor in accordance with the General Assembly's appeal.

12. In this connexion we have some doubts about the view expressed here in the Committee that we should confine ourselves to prohibiting only the emplacement of nuclear weapons and other types of weapons of mass destruction on the sea-bed and the ocean floor.

13. First of all, we should like to draw attention to the fact that the Soviet draft treaty also contains a proposal to ban the emplacement on the sea-bed and the ocean floor of nuclear weapons and other types of weapons of mass destruction.

14. However, if we intend to prevent an arms race in this field, can we limit ourselves in this case to the aforesaid measure? The conclusion of a limited agreement prohibiting only the emplacement of weapons of mass destruction on the sea-bed and the ocean floor would open the way for the unleashing of a conventional arms race in this sphere. Such an agreement would not answer the set purpose, namely to prevent the spread of the arms race to this sphere of human activity, which as a matter of fact has not yet been opened up. In these circumstances it is difficult to concur with the view that such an agreement would ensure the utilization of this sphere exclusively for peaceful purposes. On the contrary, it is rather to be expected that the conclusion of such a limited agreement governing only questions concerning the prohibition of the use of the sea-bed and the ocean floor for the emplacement of nuclear weapons and other types of weapons of mass destruction would constitute a kind of legalization of military activities by States in this area so far as conventional weapons

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[11] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[12] *Ibid., 1967*, pp. 38–43.
[13] *Ibid., 1968*, pp. 802 ff.

are concerned. If we agreed to the conclusion of such an agreement, we would be acting contrary to the recommendations of the General Assembly and would fail to justify the hopes placed in the work of our Committee by the peoples of the world.

15. In this connexion we should like to note the statement made by the representative of the United Kingdom, Mr. Porter, who, referring to the Soviet draft treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof, stated that it "goes too far".[14] We should like to ask Mr. Porter how we should understand his statement and, in particular, the words "too far". Do they mean that the United Kingdom is not prepared to agree to ensuring the use of the sea-bed and the ocean floor *exclusively* for peaceful purposes? In this connexion we should like to stress that this is precisely what is called for in resolution 2467 (XXIII) of the United Nations General Assembly, which the United Kingdom delegation also supported.

16. The view was also expressed that the complete demilitarization of the sea-bed would be "unworkable and probably harmful". In support of this statement references were made, in particular, to the difficulties connected with the fact that certain installations—for example, communication and navigation aids—are used for both military and peaceful purposes. We should like to give some clarifications in this respect.

17. If we turn to international law, we see that demilitarization does not presuppose limitations on the establishment or use of means of communication, beacons or other means of infrastructure. Throughout history States have often resorted to demilitarization as a way of limiting armaments in relation to specific zones or areas, and this has made it possible to work out a certain legal concept of demilitarization that has proved its worth. In this connexion reference may be made to the opinion of L. Oppenheim, an outstanding authority in the field of international law. In his major work "International Law" it is stated that demilitarization means ". . . the agreement of two or more States by treaty not to fortify, or station troops upon, a particular zone or territory."[15]

18. Consequently, the concept of demilitarization covers quite concrete matters, namely, renunciation of the right to station troops and to deploy objects and structures of a military character. It follows from this definition that demilitarization in no way implies the destruction, or prohibition of the emplacement and use, of means of communication, beacons and other installations having no direct military purpose.

19. This is also confirmed by actual practice in international relations. Let us take a comparatively recent example: the demilitarization of the Aaland Islands in the Baltic Sea. The obligation of Finland to demilitarize the Aaland Islands includes the requirement ". . . not to fortify them and not to make them available for the armed forces of other States".[16] Obviously in this case also there was no question of prohibiting the establishment or emplacement of means of communi-

[14] ENDC/PV. 396, p. 14.
[15] *International Law* (7th ed.), vol. II, p. 244.
[16] 67 UNTS 146.

cation, navigational means and other means of infrastructure. Common sense tells us that if demilitarization is feasible on land, it can also be carried out on the sea-bed, and the problems arising in this connexion must be solved in accordance with existing practice and common sense.

20. As an argument against the full demilitarization of the sea-bed there has been put forward the thesis that the use of submarines requires the establishment of a tracing system for purposes of self-defence. In this connexion we should like to point out that the Soviet draft treaty provides for the establishment of a twelve-mile coastal zone which would not be covered by the treaty and which would therefore be within the area in which States would have freedom of action, including the freedom to place submarine tracing stations. This provision of the draft treaty adequately meets the interests of States seeking to safeguard the security of their own territory. As for States which plan to place such stations far from their own coasts in neutral waters, the question naturally arises as to whether such stations are really being established for purposes of self-defence or for some other purpose.

21. Another argument which is put forward against the complete demilitarization of the sea-bed is that a considerable part of scientific research is carried out by military personnel with the use of military auxiliary equipment. It is now widely recognized that military personnel or military equipment can be used for peaceful scientific research, especially in areas where the carrying out of such research meets with considerable difficulties or requires special training. By way of example we may refer to the Antarctic Treaty and the outer space Treaty, which contain special provisions to this effect. The use of military personnel in outer space research and at scientific stations in Antarctica did not prevent the reaching of an agreement to demilitarize Antarctica and to prohibit the use of celestial bodies for military purposes. As regards the sea-bed and the ocean floor, in our opinion the use of military personnel or military auxiliary equipment for peaceful scientific research cannot and should not constitute an obstacle to the complete demilitarization of the sea-bed and the ocean floor.

22. As an argument in favour of the conclusion of an agreement limited to the prohibition of the emplacement on the sea-bed and the ocean floor of weapons of mass destruction, fears were expressed that the conclusion of an agreement on complete demilitarization might complicate the problem of control over its implementation.

23. We believe that such fears are groundless. It is precisely demilitarization of the sea-bed that would facilitate the problem of control. Indeed, if the ban covered only certain types of activity, the controlling party would be faced in each specific case with the question of whether the object concerned had to do with prohibited or permitted activities. The solution of that problem would require the insertion in the agreement of articles laying down the principles of the activities and the powers of the controllers, verification procedures and so forth. The practical implementation of control would in that case become a complicated affair requiring a great deal of time and effort and would greatly complicate the relations between the controlling party and the party being controlled. But in the case of complete demilitari-

zation, in the first place, the number of objects subject to control would be sharply reduced since only peaceful objects would remain; and secondly, verification would be considerably less complicated, because States would have no fears that verification of the objects placed by them on the sea-bed would reveal their military secrets to the controlling party.

24. Should an agreement on a comprehensive ban on military activities on the sea-bed and the ocean floor be concluded, the parties could apply the principle of free access to objects placed on the sea-bed in order to verify compliance with the treaty. That is precisely what the proposal of the Soviet Union is aimed at. In this connexion, may I quote the text of article 2 of the Soviet draft treaty, which reads as follows:

> All installations and structures on the sea-bed and the ocean floor and the subsoil thereof shall be open on the basis of reciprocity to representatives of other States Parties to this Treaty for verification of the fulfilment by States which have placed such objects thereon of the obligations assumed under this Treaty.

25. In its proposals concerning control over the implementation of this draft treaty, the Soviet side is following the principles used in the Antarctic Treaty and the outer space Treaty—principles which have proved their worth and are being successfully applied, for example, in the activities of States in Antarctica. The system of control on the basis of free access has proved to be effective and workable in practice. Indeed, in those cases involving areas where there are no national borders—such as Antarctica, outer space or the sea-bed—the principle of free access can be applied fully and is the most complete and effective method of control. This form of control will, we are convinced, contribute to the growth of mutual understanding and confidence in international relations. In these cases spheres of human activity are concerned which have practically not yet been or are only just being opened up. States not at present engaged in military activities in these areas have nothing to hide and have no reason to fear that control based on the principle of free access will be used for carrying out military intelligence.

26. Should it be agreed to conclude an agreement providing not for the complete prohibition of the use for military purposes of the sea-bed and the ocean floor, but only for the prohibition of the placing of nuclear weapons and other types of weapons of mass destruction there, the principle of free access would be difficult to apply. Indeed, if we were to prohibit only the placing on the sea-bed of nuclear weapons and other types of weapons of mass destruction, while at the same time permitting the placing there of conventional weapons, it is doubtful whether a State, even if honestly complying with the agreement, would agree to the inspection of its military installations by the controlling party, since such a form of control would reveal its military secrets and only lead to tensions and conflicts between States parties to the treaty.

27. Our point of view is that the method of control over the implementation of the agreement should be organically linked with the contents and scope of the ban on military activities on the sea-bed and the ocean floor. Complete demilitarization of the sea-bed should be matched by the principle of free access for the purpose of verification.

28. In our statement of 18 March we dwelt at some length on the question of the sphere or area to be covered by the proposed treaty. In their statements, members of the Committee have mentioned various methods of defining the limits of the areas to which the treaty would apply. It has been pointed out that some of the methods—those, for example, which take account of the existing limits of national jurisdiction—may considerably complicate the solution of this question and create a situation of inequality for various States on account of the differing limits of their territorial waters, the continental shelf and so forth. The difficulties connected with this approach were pointed out, in particular, by the representative of the United States of America in his statement on 25 March.[17]

29. In this connexion our delegation would like to point out that the solution proposed by the Soviet Union of the question of the area to be covered by the treaty makes it possible to do away with all these controversial questions. We propose the establishment for the purposes of this treaty of a twelve-mile maritime coastal zone beyond which military activities by States on the sea-bed and the ocean floor would be prohibited. In doing so, we have in mind that this zone, established exclusively for the purposes of the treaty, does not involve the question of the limits of territorial waters, concepts of national jurisdiction and other problems. Thus, many controversial issues are eliminated and, at the same time, the widest possible inclusion of the area of the sea-bed subject to demilitarization is obtained. This proposal is also aimed at ensuring that the treaty becomes effective at an early date, by excluding the continental shelf from the arms race—that is, the sphere which, from a technological standpoint, is most easily accessible in view of present-day scientific and technological possibilities, and which may be the first to become the site where military activities by States would go on and thus a military arms race would take place in that sphere.

30. In support of this view we may quote the following conclusion, contained in a study by the United Nations Secretariat on the military uses of the sea-bed and the ocean floor:

> Technically, the deployment of military weapons and other devices in the region of the continental shelf and the deep ocean peaks, existing information indicates, is either already feasible or will be so in the near future. The deep ocean bed, on the contrary, is an area that so far seems from available published material to be the object of military research and development efforts only. Actual deployment, it has been stated, is probably some time off, although the great intensity of present military interest might possibly affect this picture in the not too distant future.[18]

31. In order that the treaty should meet the interests of international co-operation in the best possible way, we have provided in the draft for the principle of universality—any State in the world may accede to the treaty when it is opened for signature or subsequently at any time when a State deems it desirable to do so (article 4, para. 1). That point, in our view, is of great importance, because the greater the number of States acceding to the treaty the more effective will be

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[17] *Ante*, pp. 137–138.
[18] A/AC. 135/28.

the treaty itself and the greater will be the contribution of its conclusion to progress in the cause of disarmament.

32. A State party to the treaty, in exercising its national sovereignty, may withdraw from the treaty if it decides that extraordinary events related to the subject matter of the treaty have jeopardized the supreme interests of its country.

33. The conclusion of a treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof would be a significant contribution to curbing the arms race, would create an atmosphere conducive to agreement on other collateral measures, would facilitate further progress in disarmament and, in the final analysis, would contribute to the solution of the main problem—general and complete disarmament. Prohibition of the use for military purposes of the sea-bed and the ocean floor would also create an atmosphere favourable to the development of international co-operation between States in investigating the world's oceans and in solving other aspects of the problem of the sea-bed.

34. We express the hope that members of the Committee, in the interest of developing international co-operation and strengthening peace and security will consider with due attention the draft treaty which we have submitted.

35. The Soviet side will, for its part, endeavour to contribute in the fullest possible way to the solution of the problem of banning the use for military purposes of the sea-bed and the ocean floor, and is ready to discuss all considerations and proposals which might facilitate progress in that direction. In particular, we are prepared to hold, for that purpose, informal meetings of the Committee, as proposed by Mrs. Myrdal.[19]

36. We are convinced that a fruitful discussion on this item of the agenda will make it possible to find a solution to the problem under consideration, which would meet the interests of all mankind.

Statement by ACDA Deputy Director Fisher to the Eighteen Nation Disarmament Committee, April 8, 1969 [1]

2. President Nixon, in his letter of instructions to Ambassador Smith, mentioned three specific measures on which he hoped there could be progress at this Conference.[2] First, he indicated the interest of the United States in working out an international agreement that would prohibit the emplacement or fixing of nuclear weapons or other weapons of mass destruction on the sea-bed. Second, he set forth the support of the United States for the conclusion of a comprehensive test ban adequately verified, and indicated that efforts should be made towards greater understanding of the verification issue. Third, he stated that the United States would continue to press for an agreement

[19] ENDC/PV. 397, p. 27.
[1] ENDC/PV. 401, pp. 4–11.
[2] *Ante*, pp. 109–110.

to cut off the production of fissionable material for use in nuclear weapons and for the transfer of such material to peaceful purposes.

3. In his intervention on 25 March of this year Ambassador Smith discussed in some detail the factors that the United States believes are relevant to the first of these measures—an international agreement that would prohibit the emplacement or fixing of nuclear weapons or other weapons of mass destruction on the sea-bed.[3]

4. Today I should like to discuss the views of the United States on the other two measures.

5. I think all members of the Committee would agree there is no more important job facing us than that of achieving the cessation of the nuclear arms race at an early date. We have all said so many times and we have incorporated statements to that effect in the non-proliferation Treaty, both in the preamble and in article VI.[4] Nevertheless, we have not yet been able to agree on the one agreement that would be thoroughly effective in preventing the growth of the stockpiles of nuclear weapons, that is, an agreement to halt the production for weapons purposes of the fissionable material which is the essential ingredient for a nuclear bomb.

6. Our attempts to reach such an agreement go back quite a while, to a time when the stockpile of nuclear bombs was much smaller than it is now, because there was then much less weapons-grade fissionable material, on both sides, with which to make them. President Eisenhower first proposed a cut-off of the production of fissionable materials for weapons well over a decade ago—in 1956.[5] Subsequently, the United States has strongly advocated the adoption of the "cut-off" on many occasions both in the United Nations General Assembly and in this Committee. In 1964 and 1966 we presented to this Committee four working papers on verification of various aspects of a cut-off agreement.[6] At this session of this Committee, the United States will continue to support such an agreement.

7. The essential elements of a cut-off agreement would be:

First, as of an agreed date nuclear-weapon States would halt all production for use in nuclear weapons of fissionable material—that is, uranium enriched in U–235 and plutonium.

Second, the production of fissionable material would be permitted to continue for purposes other than use in nuclear weapons, such as power and propulsion reactors and nuclear explosives for peaceful purposes.

Third, in order to provide for compliance with the agreement, the International Atomic Energy Agency (IAEA) would be asked to safeguard the nuclear material in each State's peaceful nuclear activities and to verify the continued shutdown of any facilities for production of fissionable material that are closed.

8. This last element—that is, the provision for International Atomic Energy Agency safeguards—represents a change in the previous position of the United States. The United States previously

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[3] *Ante*, pp. 134–138.
[4] *Documents on Disarmament, 1968*, pp. 461–465.
[5] *Ibid., 1945–1959*, vol. I, pp. 593–595.
[6] *Ibid., 1964*, pp. 235–238; *ibid., 1966*, pp. 103–104, 224–226, 538–546.

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proposed what we thought was a reasonable inspection system in order to safeguard against any significant diversion of fissionable material. That system involved substantial elements of adversary inspection, particularly in the search for undisclosed facilities. It is described in a working paper on the inspection of a fissionable material cut-off which was presented to this Committee on 25 June 1964.[7] Since that time however, a somewhat different approach to the verification problem in so far as it is applicable to non-nuclear-weapon States has been developed in this Committee and has gained wide acceptance. This approach is contained in article III of the non-proliferation Treaty. It involves reliance on the International Atomic Energy Agency and agreements to be worked out in accordance with the Statute of the International Atomic Energy Agency and the Agency's safeguards system as the means for preventing the diversion of nuclear materials to use in weapons. We propose a similar approach to the verification of a cut-off agreement for the nuclear-weapon States.

9. In indicating our continued support for a cut-off I should like to make clear that the United States reiterates its offer to add to the cut-off an agreement to transfer to peaceful purposes agreed amounts of fissionable material. In the past the United States has indicated its willingness to transfer 60,000 kilogrammes of U–235 to peaceful purposes provided the Soviet Union transfers 40,000 kilogrammes of the same material. The amounts to be transferred would be the subject of negotiation, of course, and it may well be that some might think that it would be appropriate for the agreement to provide for the transfer of equal quantities by both the United States and the Soviet Union.

10. There are two aspects of the cut-off that seem particularly relevant to recent developments and discussions in the field of disarmament. I intend to give special attention to those matters in my intervention today. They are, first, the value of the cut-off measure as a means of halting the nuclear arms race and, second, the importance of this measure as a prudent and necessary step towards establishing an equitable system of safeguards on all production of fissionable materials.

11. The United States has placed the cut-off high on its agenda for many years because we consider it to be a realistic measure that would place a limit once and for all on the size of nuclear arsenals. It would do so by limiting definitively the amount of fissionable materials available for use in weapons. The economic, political and military benefits that both the nuclear and the non-nuclear nations would derive from the adoption of this measure are obvious. Equally obvious is the important contribution of a cut-off in facilitating progress on other steps to halt the nuclear arms race.

12. We are all familiar with the argument against the value of a cut-off agreement that has been set forth whenever this measure has been discussed in the past. The essence of this argument is that a cut-off would not be worth while because it would not deal with the means that already exist for waging nuclear war. The lack of validity of such an assertion is clear, I believe, if we examine its logical corollary, which is that no steps towards halting the nuclear arms race are

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[7] *Ibid., 1964*, pp. 235–238.

worth while if they do not completely eliminate existing nuclear arsenals. That is a thesis which this Committee cannot accept in its work.

13. It is arguments such as this that have been used against a cut-off of the production of fissionable material ever since a cut-off was first proposed in 1956, thirteen years ago. Yet, I submit, no one can deny that the nuclear confrontation would be at a much lower level and the world would be a much better place if we had been able to obtain a cut-off when it was first proposed. I do not mention this in order to cry over spilt milk, so to speak. I do so in the hope that thirteen years from now we shall not be in the position, after thirteen more years of a dangerous and costly arms race, of regretting the failure of this effort to increase the security of all of us by obtaining such an agreement.

14. We are familiar as well with the argument that the system for verifying a cut-off, which the United States suggested on previous occasions, was designed, somehow, for the international collection of intelligence on key sectors of State defence. Although this assertion did not accurately describe the reasonable inspection system we had previously suggested, it clearly cannot be applied to the inspection system that we are now discussing—that is, IAEA safeguards on the nuclear material in peaceful nuclear activities and IAEA verification of facilities for the production of fissionable materials which are shut down.

15. We emphasize this aspect of the cut-off because of our belief that the nuclear-weapon Powers should be prepared to accept, in the context of a cut-off agreement, the same safeguards on their fissionable material production facilities as are appropriate to verify non-proliferation in the non-nuclear-weapon States. We do not propose any other inspection or verification for this agreement, and we submit that the suitability of IAEA safeguards should be apparent to all of us who have called on other States to accept them.

16. During the past three years, while our efforts were directed primarily towards fashioning a broadly acceptable agreement to halt the spread of nuclear weapons, several countries proposed that a non-proliferation treaty be linked to other measures of nuclear disarmament. As members of the Committee know, the United States opposed these proposals. Our reason for doing so—and I believe the correctness of our assumption has been borne out—was that insistence on establishing such a link as a pre-condition for a non-proliferation treaty would result in achieving neither the non-proliferation treaty nor other measures.

17. The United States is still of this view. We are urging a cut-off in the production of fissionable material for weapons purposes as a measure to follow the Treaty on the Non-Proliferation of Nuclear Weapons, pursuant to article VI of that Treaty. We would respectfully urge that no country use the fact that a cut-off agreement is now under discussion as a reason for delaying its decision on the non-proliferation Treaty. We would respectfully urge that instead it become a party to the non-proliferation Treaty and by such action be able to add an argument based on article VI of that Treaty to the weight of its other arguments in support of a cut-off.

18. I should now like to turn to the subject of the banning of underground nuclear weapon tests. All of the previous speakers have taken note of this topic, and most speakers, I believe, have described a ban on such tests as one of the most important and pressing of arms control measures. The Swedish delegation has, in addition, submitted a paper entitled "working paper with suggestions as to possible provisions of a treaty banning underground nuclear weapon tests".[8] I have read and studied, with care, the statements of the representatives and the working paper submitted by the delegation of Sweden.

19. The position of the United States can be stated quite simply. We support a comprehensive test ban treaty that is adequately verified. But we are convinced that adequate verification requires on-site inspections. Ambassador Smith made the position of the United States on this point quite clear in his statement of 25 March.[9] Moreover, in a series of statements during the past several years, we have set forth this position in detail—giving both the scientific and the political reasons which support it. I do not believe that scientifically or politically there is any basis for changing this position.

20. The representative of Sweden, in submitting a working paper that does not provide for obligatory on-site inspections, has expressed the view that the problem of what is adequate for verifying a comprehensive test ban is a political problem, not a technical one.[10] The view was also expressed that what is required is a political decision, not a technical assessment. One cannot quarrel with the sound observation that any negotiated agreement requires political decision. But the political decision as to what constitutes adequate verification of a comprehensive test ban is one which must be made on the basis of extensive scientific and technical considerations, as well as purely political ones.

21. We in this Committee are all well aware of the findings of the SIPRI report on "Seismic methods for monitoring underground explosions", a summary of which is contained in document ENDC/230.[11] That report is the outcome of a meeting of seismologists last summer, sponsored by the Stockholm International Institute for Peace and Conflict Research. The drafters of the report took into account all the latest advances in seismic techniques and theory, including the statistical decision theory advanced by the Swedish delegation and relied upon by the representative of Sweden in support of the approach contained in the recent Swedish working paper. Yet, taking all these considerations into account, the expressed assessment of the seismologists participating in the SIPRI report is that a clear separation between earthquakes and nuclear explosions could not be made by teleseismic means for underground nuclear test explosions up to tens of kilotons of explosive yield. This means that each year many seismic events will occur in the Soviet Union which are not susceptible to a determination—by seismic means—whether they are earthquakes or nuclear tests up to tens of kilotons of explosive yield.

22. The United States cannot accept the statement advanced in support of the recent Swedish working paper that there will be less

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[8] *Ante*, pp. 140–142.
[9] *Ante*, pp. 133–134.
[10] *Ante*, p. 144.
[11] *Documents on Disarmament, 1968*, pp. 455–458.

than one ambiguous event, or "false alarm", in the Soviet Union every ten years.[12] It is our assessment, consistent we believe with the SIPRI report, that there will be a large number of events each year which cannot be distinguished between earthquakes and underground nuclear explosions. That is why it is not possible to verify a ban on underground nuclear explosions by seismic means alone. Furthermore, nuclear test explosions in the yield range of up to tens of kilotons can have very important and significant military value.

23. These are the reasons for our decision—a political decision based on scientific considerations—that adequate verification requires obligatory on-site inspections in addition to seismic detection and identification techniques.

24. Our delegation is aware of the fact that the SIPRI report called for further progress to be made in the field of seismic detection and identification. But it is appropriate to point out that the estimates of potential seismic detection and identification capability which underlie the United States position have been made taking into account the reasonably anticipated improvements in seismic capability.

25. Turning now to the political aspect of the question, I note that the representative of Sweden has said that it is not the purpose of control to provide "judicially conclusive evidence" of a violation, but that rather the aim is that "of deterring a prospective violator from concealed testing by presenting him with a sufficient probability of being exposed."[13] However, in dealing with the concept of deterrence we should bear in mind that an inspection procedure will serve as a deterrent only if a potential violator realizes that it provides machinery under which the possibility of damage to its interests from a violation exceeds the possible gains to be obtained from such a violation.

26. It is that test which we shall have to use in analysing the working paper contained in document ENDC/242 in order to determine whether it is an effective political instrument. And in applying that test we cannot assume that there has been no violation and that one has to be concerned only about preventing false alarms from inducing unwarranted political accusations of a treaty violation. We must look at the more pertinent and worrisome question of what would happen under this control machinery if there were to be a violation. That is the point that must be addressed if one is to talk of deterrence.

27. I believe that we must assume that a violator would take sophisticated precautions in an attempt to minimize any risk of disclosure. Here I should like to note that the SIPRI report indicates that the possibility of taking such precautions does exist. But let us say that this clandestine underground nuclear explosion is detected and there is some seismic evidence, some probability, that the event may indeed have been an underground nuclear explosion, and thus a violation. The violator would be presented with the evidence; he would be questioned. The evidence which would form the basis of the questioning would be highly technical material—understandable only to highly trained seismologists, and in many cases ambiguous even to them.

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[12] *Ante*, p. 145.
[13] *Ibid.*

28. And what if one finds the explanation of the event unsatisfactory? The violator has, according to the Swedish proposal, no further obligation. Those who consider their security endangered may, of course, withdraw from the treaty, but the onus will be on them, not on the violator. That would give the agreement an inherent instability. In fact, any nation that wanted to resume testing openly could just conceivably use such a scheme to force others to abrogate the treaty, rather than do so themselves.

29. Obligatory on-site inspections would, we believe, add a sufficiently binding constraint, so that not only would deterrence be greatly enhanced but a violator, persisting in spite of that, would himself have to denounce the treaty to avoid inspection—or be found out.

30. The aim and purpose of an arms control measure, beyond its immediate area of applicability, is to lend additional political stability, through mutual trust, to the international scene. Mutual trust is simply not made up of verbal expressions of good will, however solemnly stated. It is attained by the acceptance of mutual obligations, the performance of which by the respective parties can be observed and judged. That is the way mutual trust will grow.

31. In the instance of the ban on nuclear tests the substantive obligation is a negative one, an obligation not to do something. The performance of that obligation by any one party is a matter of vital national security interest to all other parties. The complications of natural phenomena have made the verification of that obligation—the observation and judgement as to how it is being performed—impossible without on-site inspections. It is our firm conviction, therefore, that adequate verification of a treaty banning all nuclear tests must involve obligatory on-site inspections.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee: Prohibition of the Use of Nuclear Weapons, April 10, 1969 [1]

41. We have just heard a very detailed and interesting statement by the representative of Mexico, Ambassador Garcia Robles. The Soviet delegation will study it with all the attention it deserves.

42. In our statement today we should like, within the context of item 1 of our agenda, to dwell upon questions of nuclear disarmament.[2] The primary importance of this problem has been recorded in the non-proliferation Treaty.[3] In this connexion I should like to emphasize that it is precisely this non-proliferation Treaty that is now the starting point for further progress in the field of nuclear disarmament. We should like to express the hope that the Treaty will come into force as soon as possible, which would no doubt give a new impetus to the efforts of States in the aforesaid field.

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[1] ENDC/PV.402, pp. 14–24.
[2] *Documents on Disarmament, 1968*, pp. 583–584.
[3] *Ibid.*, pp. 461–465.

43. In our statement on 18 March we stressed the importance attached by the Soviet delegation to the urgent solution of the problem of nuclear disarmament.[4] We note that in the Committee there is sufficient unanimity of opinion to the effect that this task is a priority one, and that in itself is an encouraging factor. We now have to find a common approach to the way in which this problem is to be tackled.

44. The Soviet delegation holds the view that in the work of the Eighteen-Nation Committee great importance should be attached to the question of prohibiting the use of nuclear weapons. This question has long been ripe for solution. As long ago as 1961 the sixteenth session of the United Nations General Assembly adopted resolution 1653 (XVI) known as the Declaration on the prohibition of the use of nuclear and thermo-nuclear weapons.[5] That Declaration very clearly expressed the negative attitude of the States Members of the United Nations to the use of nuclear weapons and stressed the necessity of precluding the possibility of their use. At the same time the General Assembly supported the idea of concluding a special convention on the prohibition of the use of nuclear weapons.

45. It is well known that the majority of States Members of the United Nations not only voted in favour of resolution 1653 (XVI) but subsequently, in reply to the questionnaire of the Secretary-General of the United Nations, expressed themselves in favour of concluding a convention prohibiting the use of nuclear weapons.[6] Thus, in addition to the vote in the General Assembly there also took place, so to speak, an international referendum on this question, which confirmed the desire of the peoples of the world to safeguard themselves against the threat of nuclear bombs.

46. If we turn to the positions of the members of our Committee on the question of prohibiting the use of nuclear weapons, we see that the overwhelming majority of States participating in our Conference have, in principle, expressed themselves in favour of discussing this question in the Committee and of concluding an appropriate agreement.

47. It is hardly necessary to dwell in detail on the position of the socialist States. They have steadfastly supported, and continue to support, that prohibition and are making every effort to concentrate the discussion in the Committee on the search for measures that would lead in that direction. Equally well known is the attitude of the majority of the non-aligned States to the conclusion of a convention prohibiting the use of nuclear weapons. Thus, Ethiopia took the initiative which led to the adoption of a Declaration in that regard by the sixteenth session of the General Assembly (resolution 1653 (XVI)). The position of Burma, as expressed in its reply to the questionnaire of the Secretary-General, consists in: "support for any action which has for its objective the prohibition of the use of weapons of mass

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[4] Ante, pp. 114–121.

[5] *Documents on Disarmament, 1961*, pp. 648–650.

[6] See General Assembly *Official Records: Seventeenth Session, Annexes, Agenda Item 26*, and *ibid., Eighteenth Session, Annexes, Agenda Item 27*. The Soviet, British, French, and U.S. replies appear in *Documents on Disarmament, 1962*, vol. I, pp. 86–87, 291–292, 609–610, 628–631.

destruction, such as those utilizing nuclear and thermo-nuclear energy." [7]

48. The representative of Nigeria, Alhaji Sule Kolo, at our meeting of 20 March expressed readiness to support this "indeed important aspect of disarmament"—the prohibition of the use of nuclear weapons.[8] We could also quote in this regard the statements made by the representatives of other non-aligned States members of our Committee.

49. The Governments of the United States, the United Kingdom and Italy, although advancing reservations and objections regarding the solution proposed by the General Assembly for prohibiting the use of nuclear weapons, also agreed that the Eighteen-Nation Committee should take up the discussion of this problem. It would be hard to believe that those States would want the Committee to take up the discussion of a question which in their view had no chance of being solved.

50. Nevertheless, today we must observe with regret the absence of progress in solving the problem of prohibiting the use of nuclear weapons. That situation has been brought about by the fact that the Western Powers, and first and foremost those which possess nuclear weapons, are not prepared to abandon their negative position on this question and to look for a mutually acceptable way towards its solution. That fact is sometimes regarded as an insurmountable obstacle to progress on the question of prohibiting the use of nuclear weapons.

51. In that connexion we should like to note that the history of disarmament negotiations shows a number of cases in which positions which at first seemed to be irreconcilable were gradually brought closer together as a result of efforts by the parties, thus leading to agreements. In this case likewise it is the duty of all of us to exert the utmost efforts and good will and try to gain a better understanding of each other's views so as to find possible points of contact.

52. It is from this standpoint that we should like to dwell on certain arguments which are being advanced against prohibition of the use of nuclear weapons. We are told that instead of prohibiting the use of nuclear weapons it would be better to accomplish a more extensive measure, namely to solve the question of general and complete disarmament. In the reply of the United States Secretary of State to the questionnaire of the Secretary-General we read:

> While my Government deplores the necessity to arm with weapons of mass destruction, it believes that a prohibition on their use, unaccompanied by measures leading to the attainment of general and complete disarmament in a peaceful world, cannot provide any real or lasting protection to potential victims of nuclear attack.[9]

53. Obviously it would be better immediately to achieve general and complete disarmament or, as a first step, to prohibit and destroy nuclear weapons. The Soviet Union has long been advocating a programme of general and complete disarmament. We attach very great

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[7] General Assembly *Official Records: Eighteenth Session, Annexes, Agenda Item 27*, p. 2.
[8] ENDC/PV.396, p. 9.
[9] *Documents on Disarmament, 1962*, vol. I, p. 630.

importance to that question and it is our intention to deal with it in detail at a subsequent meeting of the Committee. But so far, unfortunately, there has been no progress in that field. In those conditions it would be wrong to set against general and complete disarmament such partial measures as prohibition of the use of nuclear weapons. On the contrary, it is precisely the accomplishment of such measures that would facilitate progress in the field of general and complete disarmament.

54. Another argument against the conclusion of an appropriate convention is that it would be useless, because it would not be complied with anyway. Such a concept casts doubt upon the value of any international agreement. In our statement of 18 March we referred to the existing experience in the field of the prohibition of the use of chemical and bacteriological weapons, which provides us with an important precedent also in regard to the prohibition of the use of weapons of mass destruction such as nuclear weapons.

55. It must be noted that in general the binding force of such international agreements is in fact based partly on moral compulsion, partly on mutual interests and partly on the fear of retaliatory action by the other party.

56. The Government of Ethiopia, in its reply to the Secretary-General's questionnaire, rightly noted, in regard to a convention prohibiting the use of nuclear weapons, that:

> . . . since the Charter of the United Nations itself is basically and rightly founded on moral compulsion, and since the substance of the contemplated convention will be subject to the same rules for effectiveness, it is hard to detect wherein the weakness of the latter lies."[9]

57. Against the prohibition of the use of nuclear weapons the argument is advanced that the implementation of such a measure would be not only useless but even harmful because it would have negative implications for the security of States. That means, in other words, that the implementation of such a measure would run counter to the concept of so-called "mutual deterrence" put forward by the Western nuclear Powers. We consider that "mutual deterrence" not only is not a safeguard of peace but, quite the contrary, stands for a very dangerous condition which might at any time lead to a catastrophe. To accept that concept means to deprive oneself of the possibility of seeking to strengthen international security through nuclear disarmament.

58. We are gratified to note that our approach to this question is shared by other States. This is shown in particular by the statement made by the representative of Mexico, Mr. Garcia Robles, at our meeting on 18 March of this year when he stated that his delegation refused to believe that the so-called deterrent power of nuclear weapons can be regarded as "a positive factor justifying their existence".[10] We share his conviction that we cannot ascribe to nuclear weapons the merit for the fact that the last twenty years have been peaceful in most parts of the world. The view of the Mexican delegation that peace and

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[9] General Assembly *Official Records: Eighteenth Session, Annexes, Agenda Item 27*, p. 3.

[10] ENDC/PV.226, p. 28.

international security should not depend on nuclear weapons will no doubt find support both in this Committee and outside it.

59. It is precisely because we base ourselves on that approach to the unfounded concept of mutual deterrence, that we are in favour of prohibiting the use of nuclear weapons. The terms of reference of the Eighteen-Nation Committee on Disarmament consist not in defending the concept of mutual deterrence, but in finding ways and means of eliminating the threat to humanity which a war with the use of nuclear weapons represents. Bearing in mind that understanding we call for constructive negotiations which would make it possible to achieve the prohibition of the use of nuclear weapons. Such a prohibition would be a step towards renunciation of the further improvement and stockpiling of nuclear weapons, would bring the possibility of their destruction nearer, and facilitate the solution of other questions of nuclear disarmament.

60. The assumption by States of an obligation not to use nuclear weapons would have important political consequences. The implementation of this measure would be a serious restraining factor for those who would like to threaten with nuclear weapons or to use such weapons. At the political level it would be the first practical step towards the elimination of the differences between States arising from the possession or nonpossession of nuclear weapons. The prohibition of the use of nuclear weapons would help to lessen international tension, to make the whole international atmosphere healthier and to strengthen confidence among States.

61. A very important advantage of our proposal is that its implementation is not linked with any technical complications. It does not require special measures for the establishment of control, the creation of any machinery for that purpose, and so forth.

62. Having before us the task of exploring all ways and means to achieve agreement on the prohibition of the use of nuclear weapons, we should like to remind the Committee that in the fairly recent past the very Western Powers which do not support the idea of complete prohibition of the use of nuclear weapons expressed themselves in favour of achieving such a prohibition to some extent. Thus in 1957 the United States, the United Kingdom, France and Canada introduced in the Sub-Committee of the United Nations Disarmament Committee a joint proposal under which:

> "Each party assumes an obligation not to use nuclear weapons if an armed attack has not placed the party in a situation of individual or collective self-defence."[9]

63. In connexion with the above-mentioned questionnaire of the Secretary-General of the United Nations, the United States Government in 1962 declared that it: "can and does offer the fullest assurance that it will never use any weapon, large or small, with aggressive intent."[10]

64. The well-known United States theorist, Mr. Kissinger, who today is Special Assistant to the President of the United States for

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[9] *Documents on Disarmament, 1945–1959*, vol. II, p. 820.
[10] *Ibid., 1962*, vol. I, p. 630.

National Security Affairs, says in his book *Nuclear Weapons and Foreign Policy:*

> Even a unilateral declaration of what we understand by limited war could accomplish a great deal, because it would provide a strong incentive to the other side to test its feasibility.[14]

If that consideration is applicable to a limited war within the meaning given by Mr. Kissinger, it is also applicable to such a measure as a declaration by the nuclear Powers to renounce the use of nuclear weapons. To use Mr. Kissinger's own words, it is possible to say that such a declaration would accomplish a great deal because it would provide a strong incentive to try this possibility, to renounce the intention to unleash a nuclear war.

65. In this connexion we should like to put a question to the representatives of the Western Powers in this Committee: To what extent does the declaration of the four Western Powers, quoted by us, and the subsequent individual declaration by the United States Government of its willingness to assume an obligation not to use nuclear weapons as a means of aggression, reflect their present position on this subject? We raise that question in order to try to find new ways and means to solve the problem of prohibiting the use of nuclear weapons.

66. Taking into account the great importance of this problem and the insistent demand of many States for prohibition of the use of nuclear weapons, we ask the Western Powers whether they are prepared to seek in present-day conditions mutually acceptable ways and means in order to reach agreement on the prohibition of the use of nuclear weapons. We ask that question because in the past those Powers indicated that they were prepared to agree to a partial prohibition of the use of nuclear weapons, that is, prohibition of the use of such weapons as a means of aggression.

67. We believe that in spite of the fact that there is at present no general agreement on the question of prohibiting the use of nuclear weapons, this direction is an important and promising one, that is, it offers hopes of success. We for our part wish to achieve real progress along that path. If the Western Powers are prepared to confirm their previous agreement to establish restrictions in regard to the use of nuclear weapons, we should also like to hear their opinion as to what should be the nature of those restrictions. Taking into account the considerations and ideas which may be put forward in this connexion, we are prepared to seek ways and means to solve the problem of prohibiting the use of nuclear weapons.

68. In our view, our task is to narrow the sphere of the possible use of nuclear weapons step by step; the more complete the sphere of restriction or prohibition of the use of nuclear weapons, the better. Prohibition of the use of nuclear weapons should be regarded as a link in the chain of nuclear disarmament measures. We consider that in solving this problem we cannot by-pass the question of prohibiting the use of nuclear weapons and that the time has now come precisely for this link. It would be the next step in developing the security guarantees which, in June 1968, were given by the three nuclear Powers—the United States, the United Kingdom and the Soviet Union—in the

[14] New York: Harper and Brothers, 1957, p. 158.

declaration of their intention, in their capacity as permanent members of the Security Council, to guarantee support, in accordance with the Charter, to any non-nuclear-weapon State Party to the non-proliferation Treaty that is the victim of aggression or the object of a threat of aggression in which nuclear weapons are used (Security Council resolution 255 (1968).[15]

69. We should now like to state our views on another important question relating to nuclear disarmament—the problem of underground nuclear weapon tests. During past sessions of the Committee and at the present session also great attention has been given to this question. We consider that the question of prohibiting all tests, including underground tests, is an important and urgent one. The cessation of nuclear weapon tests in all environments would create a serious obstacle to the expansion of nuclear arsenals and would be an important step towards the cessation of the nuclear arms race. This opinion, as our discussions have shown, is shared by many of the delegations in the Committee.

70. The Soviet Union has consistently advocated the complete prohibition of nuclear weapon tests in all environments, including underground tests. In the Soviet memorandum of 1 July 1968 on some urgent measures for stopping the arms race and for disarmament it is pointed out in this connexion that:

> The Soviet Government is prepared to reach agreement without delay on the banning of underground nuclear-weapon tests on the basis of the use of national means of detection to control observance of the ban.[16]

71. We listened with great interest to the statement made by the representative of Sweden, Mrs. Myrdal,[17] when she submitted to the Committee a working paper on the question of banning underground nuclear weapon tests.[18] We are studying this new proposal of Sweden with the attention it deserves. It is not my intention at the present moment to enter into a detailed analysis of the Swedish paper. Nevertheless, I should like to stress that the proposal put forward by the Swedish delegation is based on the fact that the present level of development of seismology makes it possible to judge the nature of a seismic phenomenon accurately enough. The position of the Soviet Union is precisely that national means of detection are adequate to identify any underground nuclear explosion.

72. An important role in achieving an agreement to ban underground nuclear explosions is attributed by Sweden and by other Powers to an international exchange of seismological data. The Swedish delegation has already put forward the idea of international co-operation in the field of the exchange of such data—the idea of setting up a so-called "detection club".[19] We have expressed in the past and should now like to confirm our positive attitude to this proposal, because it is aimed at facilitating the conclusion of a treaty banning underground nuclear weapon tests. We should now like to emphasize the willingness of the Soviet Union to exchange national seismological data with the

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[15] *Documents on Disarmament, 1968*, p. 444.
[16] *Ibid.*, p. 402.
[17] *Infra*, pp. 186–188.
[18] *Infra*, pp. 189–193.
[19] *Documents on Disarmament, 1967*, pp. 340–345.

other parties to a treaty prohibiting underground nuclear weapon tests. At the same time we consider that participation in an international exchange of seismological data should not impose on the parties participating in such an exchange any obligations in respect of international inspection or control on their territories and that the evaluation of the data collected should be made not by some international agency but by each State for itself.

73. In endeavouring to accelerate the solution of the problem of banning all nuclear weapon tests, the Soviet Union has expressed and reaffirms its support for the proposal of the United Arab Republic concerning the prohibition of underground nuclear weapon tests above a threshold of yield with a magnitude of 4.75, accompanied by a moratorium accepted voluntarily by States on underground tests below that threshold [20]—although we are convinced that even explosions below 4.75 in magnitude can be detected by national means. It is only because we are anxious to make progress towards nuclear disarmament that we accept the proposal of the United Arab Republic.

74. We are convinced that the problem of the complete prohibition of underground nuclear tests can be solved if a constructive approach is adopted and all States are guided by the desire to reach agreement on this important question as soon as possible. At the same time we should like to emphasize that the categorical demand that the problem of the prohibition of underground tests be solved exclusively on the basis of the on-site inspections does not contribute to progress in achieving agreement on this urgent problem relating to nuclear disarmament.

75. In putting forward the aforementioned proposals in the field of nuclear disarmament, the Soviet Government is also ready to accept more far-reaching measures which would lead to the complete elimination of nuclear weapons. The Soviet memorandum of 1 July 1968 contains a proposal that all nuclear Powers

> . . . should forthwith enter into negotiations on stopping the manufacture of nuclear weapons, and on the reduction of stockpiles, to be followed by the complete prohibition and destruction of nuclear weapons under appropriate international control.[21]

We are prepared to undertake negotiations both on those measures as a whole and on some of them separately.

76. Another proposal has been put forward in the Eighteen-Nation Committee, namely to stop the manufacture of fissionable material for military purposes. In the statement made on 8 April by the representative of the United States, proposals in this regard were repeated which contain, as mentioned by Mr. Fisher, a new element—the use for control not of special verification machinery but of the system of International Atomic Energy Agency safeguards.[22]

77. The position of the Soviet Government in regard to the United States proposal to discontinue the manufacture of fissionable materials for military purposes is, I think, sufficiently well known to all the members of the Committee. We have already pointed out that this

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[20] *Ibid.*, pp. 536, 584-587.
[21] *Ibid.*, *Ninth*, p. 462.
[22] *Ibid.*, pp. 536-544.

proposal would not lead to the reduction of existing arsenals of nuclear weapons and would not diminish the possibility of the further production of such weapons. This proposal is mainly due to the over-production in the United States of nuclear materials for military purposes. Thus it would not solve the problem of eliminating or reducing the threat of a nuclear war, even if all nuclear Powers agreed to carry out this measure. But the question arises: what would be the consequences of such a measure if not all the nuclear Powers agreed to it? The United States proposal gives no answer to that question.

78. We should now like to touch on a problem which is also directly linked with disarmament—the problem of the security of States. In this connexion, we should like to draw the attention of the Committee to the Appeal by the States members of the Warsaw Pact, addressed to all European countries, adopted in Budapest on 17 March last.[23] In that Appeal, consideration is given to questions of ensuring security and co-operation in Europe, a continent where twice during the life of one generation world wars have been unleashed. The Budapest conference put forward a broad programme of action on questions of European security. The participants addressed to all European governments an Appeal to redouble their efforts towards strengthening peace and security in Europe.

79. An important element in that Appeal is the proposal to hold a general European conference on the question of strengthening peace and security in Europe. The Appeal declares:

> Such a conference would meet the interests of all European States. It would make it possible together to find ways and means of doing away with the division of Europe into military groupings and achieving peaceful co-operation among European States and peoples.[24]

80. As is well known, the proposal to hold such a conference was put forward by the Soviet Union and other socialist countries almost three years ago. If we bear in mind the interest of consolidating peace, there is no weighty reason to postpone the convening of this conference.

81. In confirming their proposals contained in the Declaration adopted in Bucharest in 1966,[25] the participants in the Budapest Conference took an important initiative by expressing themselves in favour of an early meeting of the representatives of all the European States concerned in order to establish by mutual agreement the procedure for convening the conference and determining its agenda.

82. In this connexion we should like to stress that, whereas in other continents regional conferences devoted to political questions, including questions of security, have often been convened, in Europe there has not been a single conference of this type since the war. The socialist countries consider that the purpose of a general European conference should be to work out the conditions for shielding Europe from the danger of new military conflicts, for removing all possibility of the use of force and the threat of the use of force to change frontiers and the existing situation. This conference should open up broad prospects for the development of co-operation among all European

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[23] [illegible], (4), (1969), 1001.

[24] [illegible], p. 1007.

[25] [illegible] (3), (1966), 199.

countries regardless of their social structure, on the basis of the principles of peaceful coexistence.

83. We think that the creation of a durable system of European security would provide a real opportunity to promote co-operation amongst all European countries in all fields. We also believe that this conference could pave the way to durable peace in Europe. The Soviet delegation considers that this measure would be of great value at the present time and would help progress to be made in solving disarmament questions.

Address by President Nixon to the North Atlantic Council, April 10, 1969 [1]

Mr. Secretary, Mr. President, Mr. Secretary General, Your Excellencies, and our distinguished guests: As we gather here today, we celebrate a momentous anniversary.

We celebrate one of the great successes of the postwar world.

Twenty years ago, as has already been mentioned, a few dedicated men gathered in Washington to cement an Atlantic partnership between the older nations of Europe and their off-spring in the New World—and in this very room the North Atlantic Treaty was signed. Some of the men who were here then are here today—and I would like to suggest that those who were here then and who are here today stand for a moment. (Applause.)

Gentlemen, with our hindsight, we now have saluted your foresight at that time. In referring to that event, I thought I should share with you the conversation that I had with some of the founders in the room prior to coming to this meeting.

Secretary Acheson recalled that before the signing of the treaty the Marine Band played, "We've Got Plenty of Nothing," and "It Ain't Necessarily So."

Certainly what has happened in these 20 years proved that so far as the music was concerned, it was not prophetic.

As we sit here today we also look back on these 20 years, what has happened; and we think, as the previous speakers have indicated, of all of those who have contributed to the alliance, and particularly to the one who commanded the armies that liberated Europe, the first Supreme Commander of the NATO forces, the American President who did so much to bring NATO to its strength and to give life to its principles—to Dwight David Eisenhower.

His life demonstrated that there is a moral force in the world which can move men and nations. There is a spiritual force, lodged in the very souls of man's being.

As for NATO, it is precisely because it has always been more than a military alliance that its strength has been greater than the strength of arms. This alliance represents a moral force which, if we succeed it, will multiply our efforts.

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[1] Department of State Bulletin, June 23, 1969, pp. 515–518.

Dwight Eisenhower was a great humanist. He was also a great realist. If he were with us today, he would have recognized that together, as men of the Old World and of the New World, we must find ways of living in the real world.

As we know too well, that real world today includes men driven by suspicion, men who would take advantage of their neighbors, men who confuse the pursuit of happiness with the pursuit of power.

It also is peopled with men of good will, with men of peace, and with men of hope and with men of vision.

No nation, and no community of nations, is made up entirely of one group of men or another. No part of the world has a monopoly on wisdom or virtue.

Those who think simply in terms of "good" nations and "bad" nations—of a world of stanch allies and sworn enemies—live in a world of their own. Imprisoned by stereotypes, they do not live in the real world.

On the other hand, those who believe that all it takes to submerge national self-interest is a little better communication, those who think that all that stands in the way of international brotherhood is stubborn leadership—they, too, live in a world of their own. Misled by wishful thinking, they do not live in the real world.

Two decades ago, the men who founded NATO faced the truth of their times; as a result, the Western World prospers today in freedom. We must follow their example by once again facing the truth—not of earlier times but of our own times.

Living in the real world of today means recognizing the sometimes differing interests of the Western nations, while never losing sight of our great common purposes.

Living in the real world of today means understanding old concepts of East versus West, understanding and unfreezing these concepts, but never losing sight of great ideological differences that still remain.

We can afford neither to blind our eyes with hatred nor to distort our vision with rose-colored glasses. The real world is too much with us to permit either stereotyped reacting or wishful thinking to lay waste our powers.

Let us then count ourselves today among the hopeful realists.

In this same spirit of hopeful realism, let us look at NATO today.

We find it strong but we find it challenged. We find disputes about its structure, political divisions among its members, and reluctance to meet prescribed force quotas. Many people on both sides of the Atlantic find NATO anachronistic, something quaint and familiar and even a bit old-fashioned.

As the alliance begins its third decade, therefore, there are certain fundamentals to be reaffirmed:

First, NATO is needed; and the American commitment to NATO will remain in force and it will remain strong. We in America continue to consider Europe's security to be our own.

Second, having succeeded in its original purpose, the alliance must adapt to the conditions of success. With less of the original element of fear, we must forge new bonds to maintain our unity.

Third, when NATO was founded, the mere fact of cooperation among the Western nations was of tremendous significance, both symbolically and substantively. Now the symbol is not enough; we need substance. The alliance today will be judged by the content of its cooperation, not merely by its form.

Fourth, the allies have learned to harmonize their military forces; now, in the light of the vast military, economic, and political changes of two decades, we must devise better means of harmonizing our policies.

Fifth, by its nature, ours is more than a military alliance; and the time has come to turn a part of our attention to those nonmilitary areas in which we all could benefit from increased collaboration.

Now, what does all this mean for the future of the Western alliance?

To deal with the real world, we cannot respond to changing conditions merely by changing our words. We have to adapt our actions.

It is not enough to talk of flexible response, if at the same time we reduce our flexibility by cutting back on conventional forces.

It is not enough to talk of relaxing tension, unless we keep in mind the fact that 20 years of tension were not caused by superficial misunderstandings. A change of mood is useful only if it reflects some change of mind about political purpose.

It is not enough to talk of European security in the abstract. We must know the elements of insecurity and how to remove them. Conferences are useful if they deal with concrete issues, which means they must, of course, be carefully prepared.

It is not enough to talk of *détente*, unless at the same time we anticipate the need for giving it the genuine political content that would prevent *détente* from becoming delusion.

To take one example, a number of America's Western partners have actively supported the idea of strategic arms control talks with the Soviet Union. I support that idea. When such talks are held, we shall work diligently for their success.

But within our alliance we must recognize that this would imply a military relationship far different from the one that existed when NATO was founded. Let's put it in plain words. The West does not today have the massive nuclear predominance that it once had, and any sort of broad-based arms agreement with the Soviets would ratify the present balance.

How would progress toward arms control affect the nature of consultation within our alliance?

Up to now, our discussions have mainly had to do with tactics—ways and means of carrying out the provisions of a treaty drawn a generation ago. We have discussed changes in proposed treaties; in the negotiations to come, we must go beyond those to the processes which those future treaties will set in motion. We must shake off our preoccupation with formal structure to bring into focus a common world view.

Of course there is a diversity of policies and interests among the Western nations; and of course those differences must be respected. But in shaping the structure of peace, those differences must not block the way—not if we break through to a new and deeper form of political consultation.

To be specific, the forthcoming arms talks will be a test of the ability of the Western nations to shape a common strategy.

The United States fully intends to undertake deep and genuine consultation with its allies, both before and during any negotiations directly affecting their interests. That is a pledge I shall honor—and I expect to consult at length on the implications of anything that might affect the pattern of East-West relations.

In passing that test together, this alliance will give new meaning to the principle of mutual consultation.

To seize the moment that this opportunity presents, we would do well to create new machinery for Western political consultation, as well as to make greater use of the machinery that we have.

First, I suggest that deputy foreign ministers meet periodically for a high-level review of major, long-range problems before the alliance.

Second, I suggest creation of a special political planning group, not to duplicate the work now being done by the Council or by the senior political advisers but to address itself specifically and continually to the longer range problems we face.

This would by no means preclude efforts to develop a fuller European cooperation. On the contrary, we in the United States would welcome that cooperation. What ties us to Europe is not weakness or division among our partners but community of interest with them.

Third, I strongly urge that we create a committee on the challenges of modern society, responsible to the deputy ministers, to explore ways in which the experience and resources of the Western nations could most effectively be marshaled toward improving the quality of life of our peoples.

That new goal is provided for in article II of our treaty, but it has never been the center of our concerns. Let me put my proposal in concrete terms and in personal terms. On my recent trip to Europe I met with world leaders and private citizens alike. I was struck by the fact that our discussions were not limited to military or political matters. More often than not our talks turned to those matters deeply relevant to our societies: the legitimate unrest of young people, the frustration of the gap between generations, the need for a new sense of idealism and purpose in coping with an astounding world.

These were not subjects apart from the concerns of NATO; indeed, they went to the very heart of the real world we live in. We are not allies because we are bound by treaty; we bind ourselves by treaty because we are allied in meeting common purposes and common concerns.

For 20 years our nations have provided for the military defense of Western Europe. For 20 years we have held political consultations.

Now the alliance of the West needs a *third* dimension.

It needs not only a strong military dimension to provide for the common defense and not only a more profound political dimension to shape a strategy of peace, but it also needs a social dimension to deal with our concern for the quality of life in this last third of the 20th century.

This concern is manifested in many ways—culturally and technologically, through the humanities and the sciences.

The Western nations share common ideals and a common heritage. We are all advanced societies, sharing the benefits and the gathering torments of a rapidly advancing industrial technology. The industrial nations share no challenge more urgent than that of bringing 20th century man and his environment to terms with one another—of making the world fit for man and helping man to learn how to remain in harmony with the rapidly changing world.

We in the United States have much to learn from the experiences of our Atlantic allies in their handling of internal matters: for example, the care of infant children in West Germany, the "new towns" policy of Great Britain, the development of depressed areas programs in Italy, the great skill of the Dutch in dealing with high-density areas, the effectiveness of urban planning by local governments in Norway, the experience of the French in metropolitan planning.

Having forged a working partnership, we all have a unique opportunity to pool our skills, our intellects, and our inventiveness in finding new ways to use technology to enhance our environments, and not to destroy them.

The work of this committee would not be competitive with any now being carried on by other international agencies. Neither would it be our purpose to limit this cooperation and the benefits that flow from it to our own countries. Quite the opposite—our purpose would be to share both ideas and benefits, recognizing that these problems have no national or regional boundaries. This could become the most positive dimension of the alliance, opening creative new channels to all the rest of the world.

When I visited the North Atlantic Council in Brussels I posed the question: "In today's world what kind of an alliance shall we strive to build?"

Today I have sketched out some of the approaches that I believe the alliance should take.

I believe we must build an alliance strong enough to deter those who might threaten war, close enough to provide for continuous and far reaching consultation, trusting enough to accept the diversity of views, realistic enough to deal with the world as it is, and flexible enough to explore new channels of constructive cooperation.

Ten years ago, addressing the North Atlantic Council in this same room, President Eisenhower spoke of the need for unity. Listen to his words. There is not much strength in the finger of one hand, he said, but when five fingers are balled into a fist, you have a considerable instrument of defense.[1]

We need such an instrument of defense, and the United States will bear its fair share in keeping NATO strong.

All of us are also ready, as conditions change, to turn that fist into a hand of friendship.

NATO means more than arms, troop levels, consultative bodies, and treaty commitments. All of these are necessary. But what makes them relevant to the future is what the alliance stands for. To discover what this Western alliance means today, we have to reach back not across

[1] *American Foreign Policy: Current Documents, 1959*, p. 153.

two decades but through the centuries to the very roots of the Western experience.

When we do, we find that we touch a set of elemental ideals, eloquent in their simplicity, majestic in their humanity; ideals of decency and justice and liberty and respect for the rights of our fellow men. Simple, yes; and to us they seem obvious. But our forebears struggled for centuries to win them, and in our own lifetimes we have had to fight to defend them.

These ideals are what NATO was created to protect. It is to these ideals, on this proud anniversary, that we are privileged to consecrate the alliance anew. These ideals—and the firmness of our dedication to them—give NATO's concept its nobility, and NATO's backbone its steel.

Statement by the Soviet Government on the 20th Anniversary of NATO, April 10, 1969 [1]

The member-countries of the North Atlantic alliance (NATO) are observing the military-political bloc's 20th anniversary. Two decades have passed since the North Atlantic bloc was organized in a supercharged atmosphere of alarm and fear in the face of an imaginary "threat from the East." The architects of this bloc contended that it was created for purposes of defense. However, the real idea and purpose behind the military group were completely different. Even at that time the Soviet government emphasized that when NATO was created, no one was threatening the NATO members, no one was planning to attack them, and that this military bloc was of an aggressive nature and was aimed against the Soviet Union and other peace-loving countries. NATO's 20 years of existence have confirmed the correctness of this evaluation. Life dispelled the imperialist-created myth of a threat of "Soviet aggression" in Europe. The peoples saw the North Atlantic Treaty Organization as the main source of the danger of war, as the bulwark of all the reactionary forces in Europe and as the protector of West German militarism and revanchism.

The North Atlantic alliance emerged when the defeat of fascist Germany had deprived imperialism of one of its major shock detachments, and the foundations of the capitalist system in Europe and throughout the world had been seriously undermined. The process of the progressive development of human society accelerated. The defeat of Hitler Germany had strengthened the peoples' hopes that Europe would cease to be a hotbed of wars and international tension and would become a continent of peace and security for all its states. The North Atlantic bloc created serious obstacles to fulfillment of these hopes; it served as the tool of political forces that were unwilling to let Europe develop peacefully and democratically.

The U.S.A., the architect of NATO, had its own special aim: to reinforce, through hegemony in this bloc, the dominant position it had

[1] *Pravda*, Apr. 10, 1969, pp. 1, 3; *Current Digest of the Soviet Press*, Apr. 30, 1969, pp. 14–16.

achieved in the capitalist world at a time when the other imperialist countries had been weakened by the war. The U.S.A. and the West European states that had become dependent on it made an abrupt change in their policy. They moved away from decisions adopted jointly with the Soviet Union on the principles of the postwar organization of Europe and took the path of exacerbating international tension, accelerating the arms race and preparing for an aggressive war against the socialist countries. This policy of the U.S.A. and its allies was based on the idea of undermining or at least halting the historical process of strengthening the forces of socialism.

Of course, the European socialist countries could not remain indifferent to this threat and were compelled to unite in the defensive Warsaw Treaty Organization. Thus it was a direct consequence of NATO's creation that Europe was split into military groupings, a dangerous military confrontation arose on our continent, and international relations became more complicated.

No matter how NATO's aggressive course was described—"rolling back" socialism, "containment" or acting "from a position of strength"—the direction of this course against the socialist countries and other peace-loving European states remained unchanged.

NATO became a tool of the "cold war," an organizer of subversion, espionage and ideological sabotage and an instigator of attempts at counterrevolutionary coups in the socialist countries.

These actions, which have been especially accelerated in recent times, set back the process of reducing tension in Europe, thereby disproving the NATO leaders' hypocritical statements that they have been working toward detente and trying to turn NATO into an agency to promote peaceful cooperation.

In forming the NATO military grouping, its initiators concealed their aggressive intentions behind declarations that they wished to adhere to "the principles of democracy, individual liberty and the rule of law."* In point of fact, the NATO bloc has been the constant bearer of a threat to export counterrevolution, a force working against democracy. Support for the fascist regime in Portugal; protection of the Franco dictatorship in Spain; the military coup in Greece, which was organized with the aid of NATO's leading circles; encouragement of the activity of former Hitlerites and Nazis in West Germany—all this indicates the profoundly antidemocratic nature of the policy of the forces that have joined in the North Atlantic Treaty Organization. Virtually all the reactionary regimes, not only in Europe but also throughout the world—from Saigon to South Africa, from Seoul to Lisbon—enjoy the support of the North Atlantic pact's leaders.

When forming the North Atlantic bloc, its architects advertised their love of peace and ostentatiously emphasized their "desire to live in peace with all peoples and all governments."* But who is unaware that hardly a year went by during the postwar period when the states that had joined the North Atlantic pact, and first and foremost its leaders, did not resort to war, intervention and armed suppression of national liberation movements. One has only to recall the aggression in Korea

*Preamble to the North Atlantic Treaty (*Documents on American Foreign Policy, 1948–1949*, *Basic Documents*, p. 933).

and Vietnam, the tripartite aggression against Egypt, the intervention in the Dominican Republic and the armed intervention against the people of Congo (Kinshasa). For the developing Asian, African and Latin American countries NATO has long been synonymous with a force that supports colonialism. It is no secret that the North Atlantic bloc bears a large share of the responsibility for Portugal's shameful colonial wars against the peoples of Angola, Mozambique and "Portuguese" Guinea and for complicity with the racists in the South African Republic and Rhodesia.

Since the early years of the North Atlantic bloc's activities, its leaders have tried in every way to gloss over the fact that one of NATO's chief goals is to revive militarism in West Germany. In 1955, when the F.R.G. joined NATO, officials of the North Atlantic pact's member-states gave assurances that this step would restrict the armament of West Germany and make arms control possible. In reality, however, the F.R.G.'s affiliation with NATO sharply accelerated the restoration of West Germany's military-industrial potential and the creation of its armed forces. While in NATO, West Germany has become a hotbed of war danger in the center of Europe, in violation of the Potsdam Agreements [3] and other international decisions on the inadmissibility of reviving German militarism and Nazism.

Just a year after the F.R.G. joined NATO, the Bonn authorities introduced universal military service. Today the Bundeswehr numbers about 500,000 soldiers, is the largest West European army in NATO and possesses up-to-date armaments, including means of delivering nuclear weapons. West German officers and generals increasingly often occupy command posts on the various staffs of the North Atlantic bloc's armed forces.

The Federal Republic of Germany stubbornly refuses to accept the results of the second world war; it proclaims a revanchist course aimed at recarving the map of Europe, makes groundless claims to represent "all the German people" and encroaches on West Berlin; it does not recognize the Munich agreement as invalid from the very outset; and, under various pretexts, it has avoided signing the Treaty on the Nonproliferation of Nuclear Weapons.[4] West Germany has not halted its persistent attempts to gain access in one way or another to nuclear weapons.

The restoration of militarism in West Germany and its transformation into a major military force among the European participants in NATO constitute the most obvious manifestation of the North Atlantic bloc's true aims.

It has become increasingly obvious that a sharp discrepancy exists between NATO's activity and the interests of peace and the security of peoples, including the peoples of countries involved in the North Atlantic bloc. Throughout the 20 years of NATO's existence, it has been a factor complicating and impeding the peaceful solution of urgent international problems and the development of cooperation among peoples. The facts show that the activity of NATO constantly creates an atmosphere of tension. Those with a stake in this are pri-

[3] *A Decade of American Foreign Policy: Basic Documents, 1941–49* (S. doc. 123, 81st Cong., 1st sess.), pp. 34–48.
[4] *Documents on Disarmament, 1968*, pp. 461–465.

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marily the military-industrial monopolies, which are getting rich on the production of weapons and are ready to resort to dangerous adventures for the sake of increasing their profits. It is a fact that the leadership of the North Atlantic bloc puts pressure on the countries that belong to the bloc by seeking an ever greater intensification of militarism.

During the years NATO has existed, the members of this bloc have spent an astronomical sum—about $1,300,000,000,000—on armaments. These nonproductive outlays now exceed $100,000,000,000 annually—a colossal waste of energy, labor and vast amounts of material valuables and resources that could be used for constructive purposes. Everyone realizes that these hundreds of billions of dollars are taken from the taxpayers' pockets, i.e., are taken away from working people in the NATO countries. This money would suffice to satisfy many of the population's economic and social needs. such as housing and the eradication of slums; free medical care and free education at all levels; wide-scale construction of schools, hospitals and other social and cultural institutions; improvement of material security for the elderly; rapid progress in the development of world science and technology, including the use of nuclear energy for peaceful purposes; the study of outer space; regulation of the climate; exploitation of the resources of the world ocean; and many other needs.

The arms race imposed on the world by the North Atlantic alliance is spurred on by long-term programs to produce ever newer and increasingly destructive, expensive types of weapons that are developed both jointly and separately by the members of NATO. This is a major reason why the vitally important questions of disarmament are still unresolved.

The recent intensification of NATO's military activity is cause for great concern. The leadership of NATO has presented plans for a new increase in the military budgets; joint NATO naval forces are being formed; and new links in the military machinery are being organized.

The intensified military preparations in the Mediterranean area of Europe, where the U.S. nuclear-missile fleet cruises constantly, are attracting special attention. A situation fraught with extremely dangerous surprises is taking shape in this part of the world; the peace-loving states must take the necessary precautionary measures.

The 20-year history of NATO's existence is not only a long list of military preparations and risky measures that have inflamed tension. It is also a history of persistent struggle by the peoples in the NATO countries against this bloc's policy, against the U.S. military presence in Europe, against flights by American bombers carrying nuclear weapons, and for withdrawal from NATO, for neutrality and for liquidation of this aggressive grouping. The governments of the countries in the North Atlantic alliance are under constant pressure from peace-loving forces, which demand a different policy, one that is in the real interests of peace and security. All these factors make the most farsighted leaders of the Western states think about the desirability of their countries' continued participation in NATO.

While tendencies toward multilateral ties and mutually advantageous, businesslike cooperation among states with different social-political systems are becoming increasingly pronounced in many

countries, the North Atlantic bloc, resorting to the tattered banners of anti-communism and anti-Sovietism, places its stakes on the separation of peoples and countries, makes mutually advantageous contacts among them more difficult and paralyzes useful initiative in this sphere. The forces that determine NATO's policy endeavor to restrict the bilateral relations of NATO members with the socialist countries. This applies both to political contacts, which the NATO leaders fear might undermine "Atlantic solidarity," and to foreign-trade exchange, which still has discriminatory measures supposedly introduced to avert "strategic losses" to the West.

The commitments of the NATO participants create the danger that these countries, even against their will, will be drawn into conflicts that are alien to their national interests and, what is more, place their very existence in jeopardy.

Now the leading forces in NATO are taking steps to make it difficult for countries in this bloc to exercise the right, stipulated by the North Atlantic Treaty, to withdraw from the alliance. The NATO leaders would like to perpetuate the existence of this military-political alliance. However, the fundamental hopes of the peoples dictate the necessity for the governments of all countries, large and small, to take concrete steps to end the division of the world into military blocs, end the arms race and end the dangerous military confrontation in the center of Europe between the armed forces of the two social systems, equipped as they are with the most up-to-date types of weapons. The vital interests of the peoples of the world demand the quickest possible political settlements in Vietnam and the Near East, the prevention of new military conflicts and the development and strengthening of political, economic and cultural ties among all states on the basis of complete equality and respect for the independence and sovereignty of states.

The two decades of NATO activity confirm that it is impossible to guarantee true security for some countries while threatening the security of the peoples of other countries. In the NATO countries themselves, and not only among the public but also in responsible political circles, there is growing comprehension of the objective fact that NATO is the major obstacle in the way of ensuring international security. And no doctrines of "balance of power" or "balance of fear" can conceal this unalterable fact.

The real and lasting security of peoples can be guaranteed only by renouncing the division of the world into military blocs, halting the arms race, expanding peaceful, mutually advantageous cooperation among all peoples and resolving all issues by negotiation.

The Declaration of the Conference of the Warsaw Pact's Political Consultative Committee, adopted in Bucharest in 1966;[5] the Statement by the Conference of European Communist and Workers' Parties in Karlovy Vary in 1967,[6] and the March 17, 1969, Budapest Message From the Warsaw Pact States to All European Countries[7] contain a constructive program of action for strengthening peace and security

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[5] *Ibid., 1966*, pp. 407–420.
[6] *Ibid., 1967*, pp. 197–203.
[7] *Ante*, pp. 106–109.

in Europe. This program has evoked a widespread positive response among the European public. It goes without saying that serious and effective work to ensure peace and security in Europe is possible only on the basis of acknowledgment of the existing situation on the continent. Acknowledgment of the immutability of the postwar boundaries that have taken shape in Europe, and the fact of the existence of two German states—the German Democratic Republic and the Federal Republic of Germany—the preclusion of any possibility of F.R.G. access to nuclear weapons—these are the necessary preconditions for radically improving the political atmosphere in Europe. This also requires that the F.R.G. government renounce its absolutely illegal claims to West Berlin, which more than once have created dangerous situations. Finally, it is necessary for West Germany to acknowledge that the Munich pact was invalid from the very outset.

The interests of strengthening peace in Europe require the successful completion of the states' efforts to see that the Treaty on Nonproliferation of Nuclear Weapons goes into force as quickly as possible. The attempts now being made by the F.R.G. and some other states to postpone signing the Treaty on Nonproliferation of Nuclear Weapons are dictated by considerations having nothing in common with the task of restraining the arms race and thereby lessening the danger of nuclear war.

In the present situation in Europe it is becoming increasingly urgent to take steps aimed at disarmament. The Soviet government is firmly convinced that it is necessary to move resolutely and persistently toward disarmament regardless of what these efforts cost, for there are no other more correct or more reliable means to ensure genuine security and lasting peace. The Soviet government deems it necessary to remind the governments of all states of the proposals made in its "Memorandum on Several Urgent Measures for Cessation of the Arms Race and for Disarmament," which was submitted to the United Nations Organization and to the 18-Nation Committee on Disarmament.[8] The Soviet government memorandum was widely approved by the majority of U.N. member-states.

The Soviet Union and the other countries in the socialist commonwealth consistently support the strengthening of peace and the security of peoples and broad international cooperation based on the principles of peaceful coexistence among states with different social systems.

The Budapest Conference of the Warsaw Pact's Political Consultative Committee proposed in its Message to all European Countries that an all-European conference be organized to discuss questions of European security and peaceful cooperation. The peoples of Europe greeted this important constructive proposal of the socialist countries with a sense of satisfaction. The Soviet government expects this message to find a positive response among the governments of all European countries, so that through combined efforts it will be possible to take actions aimed at creating a stable system of security for the peoples of Europe and strengthening universal peace.

In expressing the views outlined above, the Soviet government would like to call the attention of states in the North Atlantic alliance

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[8] *Documents on Disarmament, 1968*, pp. 466–470.

and of all peoples to the consequences entailed in the continued existence of the aggressive NATO bloc, which are extremely dangerous to peace, and to the necessity—dictated by life itself and the very course of mankind's historical development—of solving the urgent problems of strengthening security in Europe and universal peace.

Communique of the North Atlantic Council, April 11, 1969 [1]

1. The North Atlantic Council met in Ministerial Session in Washington on 10th and 11th April, 1969. The Council commemorated the twentieth anniversary of the Treaty creating the Alliance and was addressed by the President of the United States.[2] Ministers expressed their deep satisfaction at the decisive contribution the Alliance had made to the maintenance of peace in Europe and to the security of all its members.

2. The Alliance was established to safeguard the freedom, common heritage and civilisation of its peoples, founded on the principles of democracy, individual liberty and the rule of law, and in response to a common fear that without an effective security system, another war might erupt in a divided Europe. The Alliance continues as the expression of common purposes and aspirations.

3. In 1967 the Report on the Future Tasks of the Alliance emphasised the dual task of the latter: the defence of the West and the search for a stable peace with the East.[3] In June 1968 Allied Ministers declared their readiness to seek, with the other States concerned, specific practical measures for disarmament and arms control, including possible measures for mutual and balanced force reductions.[4] Notwithstanding the serious setback to hopes for improvement in East-West relations as a result of Soviet intervention in Czechoslovakia, Ministers in November 1968 stated that secure, peaceful and mutually beneficial relations between East and West remained the political goal of the Allies.[5] They reaffirmed at this Session that the intention of their Governments was to continue the search for real progress towards this objective by contacts and to explore all appropriate openings for negotiations.

4. Bearing especially in mind the situation in Eastern Europe, member governments recall that any lasting improvement in international relations presupposes full respect for the principles of the independence and territorial integrity of States, noninterference in their domestic affairs, the right of each people to shape its own future, and the obligation to refrain from the threat or use of force.

5. Ministers recalled that one of the essential aims of the Alliance is the establishment of a just and lasting peace in Europe, based on stability, security and mutual confidence. The Allies propose, while

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[1] *Department of State Bulletin*, Apr. 28, 1969, pp. 354–356.
[2] *Supra.*
[3] *Documents on Disarmament, 1967*, pp. 679–681.
[4] *Ibid., 1968*, pp. 447–450.
[5] *Department of State Bulletin*, Dec. 9, 1968, pp. 595–597.

remaining in close consultation, to explore with the Soviet Union and the other countries of Eastern Europe which concrete issues best lend themselves to fruitful negotiation and an early resolution. Consequently, they instructed the Council to draft a list of these issues and to study how a useful process of negotiation could best be initiated, in due course, and to draw up a report for the next meeting of Ministers. It is clear that any negotiations must be well prepared in advance, and that all governments whose participation would be necessary to achieve a political settlement in Europe should take part.

6. The Allies will also pursue their efforts and studies in the field of disarmament and practical arms control, including balanced force reductions and the initiatives already undertaken for the renunciation of the use of force.

7. The political solidarity of the Alliance constitutes an essential element while approaching a period of expanding East-West contacts and possible negotiations. This solidarity can best be maintained by strict adherence to the principle of full consultation in the Council both before and during any negotiations that might affect the interests of the Alliance or any of its members. On this understanding, the Allied Governments welcome the intention of the United States to engage the USSR in discussion of limitations on offensive and defensive strategic arms.

8. The Allies participating in the NATO integrated defence programme agreed that it was extremely important that during an era of negotiation the defence posture of the Alliance should not be relaxed and that premature expectations of solutions to outstanding questions should not be generated. The maintenance of effective defence is a stabilising factor and a necessary condition for effective detente policies.

9. Accordingly these members of the Alliance reaffirmed their continuing determination to make appropriate contributions to joint efforts for defence and deterrence at all levels both nuclear and conventional. They accepted the continuing need for the current NATO strategy based on a forward defence and appropriate response to any aggression, and for a credible conventional and nuclear deterrent including adequate overall and local force levels. The necessary military posture of the Alliance consists of the strategic nuclear deterrent forces, the presence of sufficient substantial and effective North American and European conventional forces as well as supporting tactical nuclear forces in the European area and adequate ready reinforcements.

10. Defence Ministers will meet on 28th May, 1969 and will examine the more specific elements in the defence posture necessary to fulfil the above requirements. They will also examine the possibility of improving the efficiency of the defence effort by intensifying mutual and co-operative approaches to, for example, the problems of arms production and arms standardisation either among all Allied nations or between some of them.

11. Reviewing the situation in Berlin, the Ministers noted that obstacles have recently been placed on freedom of access to Berlin. Such obstructions cannot be accepted. The Ministers supported the determination of the Three Powers to maintain free access to the city,

and recalled the declaration of the North Atlantic Council of 16th December, 1958,[6] and the responsibilities which each member State assumed with regard to the security and welfare of Berlin.

12. The Ministers consider that the achievement of a peaceful European settlement presupposes, among other things, progress towards eliminating existing sources of tension in the centre of Europe. They consider that concrete measures aimed at improving the situation in Berlin, safeguarding free access to the city, and removing restrictions which affect traffic and communications between the two parts of Germany would be a substantial contribution toward this objective. They expressed their support for continued efforts by the Three Powers to explore, in the framework of their special responsibilities for Berlin and Germany as a whole, possibilities for ordered and negotiated progress in these important questions.

13. A peaceful solution must be found for the German question based on the free decision of the German people and on the interests of European security.

14. The members of the Alliance are conscious that they share common environmental problems which, unless squarely faced, could imperil the welfare and progress of their societies. The Ministers recognise that important work on these problems is already being carried out within other international organizations. The Ministers instructed the Council in Permanent Session to examine how to improve, in every practical way, the exchange of views and experience among the Allied countries, whether by action in the appropriate international organizations or otherwise, in the task of creating a better environment for their societies.

15. While concerned with these problems, Ministers are also mindful that the Allied countries are entering an era in which scientific, technical and economic resources should contribute to the peaceful progress and development of all nations.

16. Apart from regular meetings at Ministerial level, Ministers agreed that the Council in Permanent Session should consider the proposal that high officials of their Foreign Ministries meet periodically for a review of major, long-range problems before the Alliance.

17. The next Ministerial Session of the North Atlantic Council will be held in Brussels in December 1969.

Joint American–Soviet Communique on Peaceful Uses of Nuclear Explosions, April 16, 1969 [1]

The Soviet–U.S. technical discussions on peaceful uses of nuclear explosions took place in Vienna from the 14th to the 16th of April 1969.

Soviet participants included Academician Federov, First Deputy Chairman of the State Committee on Atomic Energy Morokhov, Messrs. Kedrovskiy, Israel, Rodionov, Grinewskiy, and Gudkov.

[6] *American Foreign Policy: Current Documents, 1958*, pp. 602–603.
[1] *Department of State Bulletin*, May 12, 1969, p. 401. The communique was released at Vienna.

U.S. participants included U.S. Atomic Energy Commissioner G. F. Tape, Messrs. R. E. Batzel, A. Holzer, J. S. Kelly, J. Rosen, H. Scoville, N. Sievering, and G. C. Werth.

The parties were of the view that underground nuclear explosions may be successfully used in the not so far off future to stimulate oil and gas production and to create underground cavities. It may also be technically feasible to use them in earth-moving work for the construction of water reservoirs in arid areas, to dig canals and in removing the upper earth layer in surface mining, etc.

Although the economics will vary from project to project the use of nuclear explosions for these purposes is promising and would permit operations under conditions where conventional methods are either impossible or impracticable. Provided that certain requirements are met, the present state of technology will make it possible to carry out underground explosions fully meeting national or generally accepted international safety standards for the protection of the public from radiation.

Both delegations concluded that the exchange of views on the status of this technology was very useful and the experts deem it desirable to have additional technical exchanges. Although these talks were not concerned with how peaceful nuclear explosion benefits are to be provided pursuant to Article V of the NPT,[2] the parties considered these talks very timely in light of this provision of the NPT which ensures that potential benefits from any peaceful applications of nuclear explosions will be made available to the non-nuclear weapon states adhering to the Treaty.

News Conference Remarks by President Nixon on the Antiballistic Missile System and Soviet Missile Capability [Extracts], April 18, 1969 [1]

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Q. Mr. President, it has been suggested that you may go directly to the country on the ABM issue to further clarify and support your case. Can you tell us of any plans you have in that direction, perhaps today?

THE PRESIDENT. No, I have no plans at this time to go to the country, as you have suggested. As a matter of fact, I consider a press conference as going to the country. I find that these conferences are rather well covered by the country, both by television, as they are today, and also by the members of the press.

With regard to the ABM decision, however, I wish to emphasize again the point that I made when I announced that decision in this room a few weeks ago.

I made that decision after I considered all the options that were before me with regard to what was necessary to maintain America's

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[2] *Documents on Disarmament, 1968*, pp. 461–465.

[1] *Weekly Compilation of Presidential Documents*, Apr. 21, 1969, pp. 572–573.

defenses, and particularly the credibility of our national security and our diplomacy throughout the world.

I analyzed the nature of the threat. I found, for example, that even since the decision to deploy the ABM system called Sentinel in 1967, that the intelligence estimates indicated that the Soviet capability with regard to their SS–9's, their nuclear missiles, was 60 percent higher than we thought then; that their plans for nuclear submarines were 60 percent greater than we had thought then.

Under these circumstances, I had to make basically a command decision as to what the United States should do if we were to avoid falling into a second-class or inferior position vis-a-vis the Soviet Union.

I had a number of options. We could have increased our offensive forces in various directions. I determined that this limited defensive action, limited insofar as the Soviet Union is concerned, to defend our Minuteman missile sites, was the best action that could be taken.

I still believe that to be the case. I believe it is essential for the national security, and it is essential to avoid putting an American President, either this President or the next President, in the position where the United States would be second rather than first, or at least equal to any potential enemy.

The other reason, and I emphasize this strongly, is that the Chinese Communists, according to our intelligence, have not moved as fast recently as they had over the past 3 to 4 years, but that, nevertheless, by 1973 or 1974 they would have a significant nuclear capability which would make our diplomacy not credible in the Pacific unless we could protect our country against a Chinese attack aimed at our cities.

The ABM system will do that, and the ABM safeguard system, therefore, has been adopted for that reason.

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Q. Secretary Rogers said at a recent news conference that if and when we begin talks with the Soviets on missiles, one of the first questions to be asked them is why they find it necessary to build a big missile with a 25 megaton warhead.[2]

Since the Russian decision to proceed to build such an enormous missile is one of the major factors in your going ahead with the ABM, the question is: Why are we waiting to ask that question for the beginning of negotiations? Why don't we ask it now?

THE PRESIDENT. Well, Mr. Scali, in a sense I think Secretary Rogers probably asked the question by stating it as he did in a press conference. As you know, because you have covered these diplomatic matters for many years, in dealing with the Soviet Union or any other nation, this type of question is not always asked simply on a formal basis in a diplomatic conference.

Sometimes the best way to handle it is to state the position publicly. As far as Secretary Rogers' statement is concerned, I share his puzzlement as to why the Soviet Union is moving so heavily in this direction. As far as the Soviet Union's intentions are concerned, and I want to clarify one point that is made, the question as to their intentions is not something that I am going to comment upon. I don't know what their intentions are.

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[2] *Department of State Bulletin*, Apr. 28, 1969, p. 363.

But we have to base our policy on their capabilities and when we project their SS–9 plans to 1972 or 1973, if we allow those plans to go forward without taking any action on our part, either offensively or defensively, to counteract them, they will be substantially ahead of the United States in overall nuclear capability. We cannot allow that to happen.

I would remind the members of this press corps, I am here at a time when the United States faces a threat, not of the magnitude that President Kennedy faced at the time of the Cuban missile crisis, but I would remind the members of this press corps that at that time all of the professional experts agreed that the U.S. superiority was at least 4 to 1 and maybe 5 to 1, over the Soviet Union in terms of overall nuclear capability.

Now we don't have that today. That gap has been closed. We shall never have it again because it will not be necessary for us. Sufficiency, as I have indicated, is all that is necessary. But I do say this: I do not want to see an American President in the future, in the event of any crisis, have his diplomatic credibility be so impaired because the United States was in a second-class or inferior position. We saw what it meant to the Soviets when they were second. I don't want that position to be the United States' in the event of a future diplomatic crisis.

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Italian Working Paper Submitted to the Eighteen Nation Disarmament Committee: Suggestions for the Adoption of an Organic Disarmament Program, April 21, 1969 [1]

1. In resolution A/RES/2454B (XXIII) the General Assembly requested the Conference

> to make renewed efforts towards achieving substantial progress in reaching agreement on the question of general and complete disarmament under effective international control and urgently to analyze the plans already under consideration and others that might be put forward to see how in particular rapid progress could be made in the field of nuclear disarmament.[2]

2. Hence the adoption of agreements on effective disarmament measures remains the basic aim of the work of the Eighteen-Nation Conference.

3. It has to be noted that since 1962 (when the United States and the Soviet Union submitted their respective plans for general and complete disarmament)[3] no effective disarmament measure has been adopted.

4. This is probably due to the fact that in 1962 it was thought that the process of general and complete disarmament could be initiated by immediate measures for the reduction of armaments. But

[1] ENDC/245, Apr. 21, 1969.
[2] *Documents on Disarmament, 1968*, pp. 795–796.
[3] *Ibid., 1962*, vol. I, pp. 103–127, 351–382.

experience has shown that disarmament must be "prepared" in an adequate manner and that the preparation itself of this process must, from the beginning, form the subject of a plan.

5. The Italian delegation therefore believes that in order to give a new impetus to the disarmament negotiations it is necessary to proceed on the basis of a plan or programme containing, on the one hand, the elements which must precede the disarmament process or serve to prepare for it, and, on the other hand, the methods of its implementation.

6. The Italian delegation considers that, in order to prepare for the disarmament process and to open the way thereto, it is necessary at the same time: (a) to halt the nuclear arms race, (b) to create a climate of confidence, (c) to undertake studies on concrete measures that will make it possible to reduce armaments and armed forces.

Furthermore, in order to make possible the complete implementation of a disarmament process, it is necessary to establish guidelines which should be provided for and laid down from the start.

7. If the usefulness of this approach is recognized, it is necessary to envisage the conclusion of an agreement on an organic programme aimed at defining: (a) the content of the preparatory phase, and (b) the guidelines which are to govern the subsequent process of disarmament.

8. As regards the preparatory phase, it will be a matter, in particular, of determining the measures which it should comprise in order to achieve the aforementioned aims, namely, the halting of the nuclear arms race, the creation of a climate of mutual confidence and a study of concrete measures for arms reduction. The Italian delegation has already expressed its opinion in this regard and hopes that other delegations will also make their views known. In particular, the Italian delegation believes that the halting of the nuclear arms race must be regarded as an integral problem, the various aspects of which are interdependent. This is tantamount to recognizing that there is a link between the various measures to be adopted in this field, although this does not mean that agreement concerning a given measure must necessarily be subject to the conclusion of an agreement on other measures. Some degree of flexibility is necessary in practice.

9. As regards the determination of guidelines for the disarmament process as a whole, the Italian delegation believes that it could be based on the principles agreed as long ago as September 1961 between the United States and Soviet Governments.[4] These principles, brought up to date and supplemented as far as possible, could be reproduced within the framework of a joint declaration by the Eighteen-Nation Conference.

For example, the original texts could be supplemented by stating:

(a) that the process of general and complete disarmament shall take place in a preparatory phase and in three successive phases of arms reduction until it is completed;

(b) that the three phases of arms reduction may be negotiated separately: the first phase simultaneously with the implementation of the preparatory phase; the second simultaneously with the imple-

[4] *Ibid., 1961*, pp. 439–442.

mentation of the first; and the third simultaneously with the implementation of the second;

(c) that reductions in all categories of nuclear and conventional weapons shall be progressive, from the first phase onwards.

10. With regard to the stages of negotiation, the Italian delegation suggests, for its part, the following programme of work:

—to undertake immediate negotiations on an organic disarmament programme;

—to carry on, at the same time, negotiations on partial disarmament measures that have already been considered previously;

—after the conclusion of an agreement on a general programme, and after obtaining concrete results in the field of partial measures (which are an essential part of the preparatory phase), to begin negotiations on the first phase of the disarmament process.

11. The Italian delegation will be grateful to other delegations for any suggestions they may wish to put forward in regard to the points submitted for their consideration.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee: General and Complete Disarmament, April 22, 1969 [1]

36. During the present session of the Eighteen-Nation Committee on Disarmament many of the delegations that have spoken have stressed the need to make further efforts aimed at reaching agreement on questions of general and complete disarmament. This has been mentioned by the representatives of Mexico, Sweden, Romania, Ethiopia, India and other States. At today's meeting the representative of Brazil has also touched upon questions of general and complete disarmament. A similar wish was also expressed by many countries at the twenty-third session of the United Nations General Assembly.

37. The Soviet delegation shares the concern of the representatives who have stressed the urgent nature of the problem of general and complete disarmament. The situation that has come about in the world urgently calls for the solution of that problem. The continuing arms race increases from year to year the risk of a world conflict, and the possible consequences of such a conflict, because of the accumulation of armaments, become each year ever more dangerous for humanity.

38. Speaking of the arms race, we cannot but note that it is a consequence of the military policies of some Western Powers. Influential circles in those countries are staking not on disarmament but on the arms race. The military bloc of the Western Powers, NATO, has become the most important factor in the arms race and in the constant aggravation of international tension.

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[1] ENDC/PV. 405, pp. 11–18.

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39. The statement of the Soviet Government on this subject published on 10 April 1969 points out that:

> The arms race imposed on the world by the North Atlantic Alliance is being spurred on by long-term programmes for the development of new and ever more costly and destructive types of weapons, which are being elaborated both jointly and individually by the members of NATO. That is one of the main reasons why vitally important questions of disarmament have not yet been solved.[2]

40. The leading role played by NATO in the arms race is confirmed, in particular, by data concerning the military expenditures of the member countries of that bloc. According to information published in a report of the United States Arms Control and Disarmament Agency those military expenditures are increasing much faster than the military expenditures of other countries of the world.[3] During three years alone (1965–1967) they increased by 35 per cent. In 1966 the military expenditure of the NATO countries amounted to 53.9 per cent of the over-all world expenditure for military purposes. Thus the 14 countries of the North Atlantic Treaty Organization, with a population of about 500 million, are spending for military purposes more than all the other countries in the world, with a population of over 2,500 million. Since NATO has been in existence the States members of that organization have spent approximately $1,300,000 million. In the light of those figures it is impossible not to agree with the statements of those representatives who have emphasized, both at the twenty-third session of the United Nations General Assembly and at meetings of our Committee, the need to give a new impetus to negotiations on general and complete disarmament.

41. The Soviet delegation shares that point of view. In the memorandum of the Government of the USSR on disarmament of 1 July 1968 it is stated that:

> . . . the Soviet Government draws attention to the need for making every effort to achieve concrete results in solving the problem of *general and complete disarmament*. The Soviet Government deems it necessary to give a new impetus to the negotiations on this question in the Eighteen-Nation Committee on Disarmament.[4]

42. At the same time we cannot agree with the view expressed by some representatives that the discussion by the Committee of partial disarmament measures has pushed into the background the problem of general and complete disarmament. May I remind you that the discussion of partial disarmament measures in our Committee began in July 1965, after the Committee had attempted to find an over-all solution of the problem of general and complete disarmament. The Soviet Union, which raised the problem of general and complete disarmament as long ago as 1922 at the Genoa Conference,[5] has endeavoured to contribute in every way to an over-all solution of the problem. To that end, in 1962 it submitted for the consideration of the Eighteen-Nation Committee on Disarmament a detailed draft treaty on general and

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[2] *Ante*, p. 181.
[3] *Documents on Disarmament, 1968*, pp. 754–761.
[4] *Ibid.*, p. 470 (variant translation).
[5] Jane Degras, ed., *Soviet Documents on Foreign Policy* (London, 1951), vol. I, pp. 298–301.

complete disarmament.[6] This draft treaty provides for a broad programme of gradual disarmament, in three stages, covering the reduction and the subsequent elimination of armaments, the disbanding of all armed forces, the dismantling of foreign military bases on alien territory, the abolition of military conscription and other measures to ensure general and complete disarmament under strict international control.

43. However, at that time endeavours to find an over-all, comprehensive solution to the problem through stage-by-stage implementation of a disarmament programme met with the opposition of the United States and the United Kingdom. Under various pretexts the Western Powers either evaded discussing the substance of the disarmament problem or put forward proposals which were manifestly unacceptable to many countries. Thus, for example, a proposal was made to establish a system of control which would have been tantamount not to control over the implementation of the disarmament measures but to control over the levels of armaments and the state and fighting capacity of the armed forces of States.

44. In those circumstances it was decided to try another approach, namely, to attempt to reach agreement on those measures which were of the most urgent nature or on those in respect of which the points of view of the parties were closer. In putting forward the problem of accomplishing individual collateral disarmament measures, the Soviet Government based itself on the principle that they should eventually lead to general and complete disarmament. The memorandum of the Government of the USSR on measures for the further reduction of international tension and the limitation of the arms race, which was issued on 7 December 1964, proposed a whole range of measures, many of which were similar to the provisions of the Soviet draft treaty on general and complete disarmament. In that memorandum it was stated in particular that the first steps in the field of disarmament, such as the Moscow Treaty banning nuclear weapons tests in the atmosphere, in outer space and under water [7] and the agreement not to place nuclear weapons in orbit [8]:

> **. . . should be followed by further agreements limiting the arms race more and more strictly, extending the area of international trust and thus clearing the way for the conclusion of an agreement on the fundamental question, namely, general and complete disarmament.[9]**

45. The fact that an organic link exists between partial disarmament measures and general and complete disarmament as the ultimate aim of our efforts is particularly illustrated by the following example. The Soviet draft treaty on general and complete disarmament under strict international control contained proposals to prohibit the placing in orbit or the stationing in outer space of special devices capable of delivering weapons of mass destruction (article 14), and to prevent the further spread of nuclear weapons (article 16). Those proposals have already become or are becoming norms of international law as

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[6] *Documents on Disarmament, 1962*, vol. I, pp. 103–127.
[7] *Ibid., 1963*, pp. 291–293.
[8] *Ibid.*, p. 538.
[9] *Ibid., 1964*, p. 510.

embodied in article IV of the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space [10] and in the Treaty on the Non-Proliferation of Nuclear Weapons.[11]

46. We believe that the significance of partial disarmament measures is determined by the extent to which they contribute to curbing the arms race, to normalizing the international situation and to achieving our ultimate goal, which is general and complete disarmament. It is precisely on the basis of this premise that article VI has been inserted in the non-proliferation Treaty, which says:

> Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.

Thus, consideration of and agreement on collateral disarmament measures can by no means hamper the continuation and intensification of our efforts to reach agreement on problems of general and complete disarmament; on the contrary, such measures are designed to lead us towards that goal.

47. In view of those considerations, the Soviet delegation deems that the time has come to give a more concrete shape to the negotiations on general and complete disarmament. That is required by the interests of maintaining and consolidating peace and is called for in General Assembly resolution 2454 B (XXIII).[12]

48. The need to intensify efforts to achieve agreement on general and complete disarmament follows logically from the whole preceding course of the discussions on disarmament problems. Many representatives who have spoken here have noted quite pertinently that the cause of disarmament is entering a new and advanced stage. This stage is characterized above all by the fact that the slogan of disarmament which had long been regarded sceptically by some statesmen as a noble but unrealistic wish has now found expression in international agreements, and this opens up good prospects for the solution of other urgent problems of disarmament, including the main problem, that of general and complete disarmament.

49. In proposing that a new impetus be given to the negotiations on general and complete disarmament we are not faced with the need to start all over again, metaphorically speaking, from zero. We have a point of departure for such negotiations—the aforementioned Soviet draft treaty on general and complete disarmament under strict international control. This draft treaty, worked out in full detail, is a good basis for fruitful discussions.

50. I should like to note also that as a result of the exchange of opinions in the period 1962 to 1964, we succeeded in reaching agreement in our Committee on the principles and order of consideration of disarmament problems. The joint statement by the Soviet Union and the United States on agreed principles for disarmament negotiations circulated as a Committee document in March 1962 clearly defined the aims of negotiations, the scope and content of the programme

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[10] *Ibid., 1967*, pp. 38–43.
[11] *Ibid., 1968*, pp. 461–465.
[12] *Ibid.*, pp. 795–796.

of general and complete disarmament, the principle of implementation of disarmament by stages and the criteria for transition from one stage to the next, the principle of balanced implementation of disarmament and the principle of the necessity of strict and effective international control.[13]

51. It is pertinent to note that from 1962 to 1964 certain work was also carried out which resulted in a number of agreed articles of a disarmament treaty. Working drafts of the preamble,[14] articles 1, 2 and 3 [15] and article 4 [16] of the treaty were elaborated. As the members of our Committee are aware, those working drafts recorded the positions of the parties, which differed on many points but at the same time were close or even identical on a considerable number of specific formulations. Thus there exists a number of documents which can be used as a point of departure for further discussion.

52. The experience of international negotiations on disarmament accumulated during those years and the agreement which was reached on some partial disarmament measures and which has now been given expression in international treaties enable us to hope that also in questions of general and complete disarmament we can continue to seek mutually acceptable solutions by utilizing everything positive that has been done so far.

53. Noteworthy in this connexion is the proposal made by the Chairman of today's meeting, the representative of Sweden, Mrs. Myrdal, in the First Committee at the twenty-third session of the United Nations General Assembly[17] and subsequently reiterated in the Eighteen-Nation Committee on Disarmament [18] regarding the study of the possibility of co-ordinating the measures which had previously been proposed for implementation during the first stage of disarmament and which have not yet become the subject of agreement. We believe that this proposal deserves careful study. The approach to the disarmament problem on which this proposal is based, has much in common with the proposals in the Soviet Government's memorandum on disarmament of 1 July 1968.

54. The members of our Committee will recall that the Soviet draft treaty on general and complete disarmament provided for the destruction in the first stage of disarmament of the means of delivering nuclear weapons, including rockets—except for a certain number of intercontinental missiles—and of aircraft, warships and artillery systems capable of serving as means of delivering nuclear weapons. It also provided for the simultaneous dismantling of military bases in foreign territories, which are the source of military conflicts. Thus already in the first stage of our programme for general and complete disarmament the implementation of measures for the elimination of the means of delivery of nuclear weapons and for the dismantling of military bases would enable States appreciably to reduce and virtually to pre-

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[13] *Ibid., 1961*, pp. 439–441. The joint statement was also circulated as ENDC/5.
[14] *Documents on Disarmament, 1962*, vol. I, pp. 340–342.
[15] *Ibid.*, pp. 574–577.
[16] *Ibid.*, pp. 727–728.
[17] A/C.1/PV.1609, pp. 62–65.
[18] ENDC/PV.397, p. 25.

clude the possibility of one country attacking another with the use of nuclear and thermonuclear weapons.

55. Since the Western Powers have not agreed to the implementation of this programme, we now propose that this problem be solved in parts, beginning with the prohibition of the use of nuclear weapons, the limitation and subsequent reduction of the means of delivery of strategic weapons, the prohibition of flights beyond national borders of bomber aircraft carrying nuclear weapons, the limitation of navigation zones for missile-carrying submarines and the liquidation of foreign military bases. It is obvious that these proposals are also designed to limit or preclude completely the possibility of a nuclear attack by one country against another. The accomplishment of these measures would not only be a substantial step forward in solving specific questions of disarmament but would also help to create an international atmosphere favourable to further disarmament negotiations.

56. It is clear from what I have said that the measures provided for in the first stage of disarmament under the Soviet draft treaty and the proposals set out in the Soviet memorandum of 1 July 1968 are aimed at one and the same goal. The only difference is that of approach. In one case these measures are proposed as the first stage of an over-all programme of disarmament by stages, whereas in the second case they are proposed as individual measures designed to open the way to general and complete disarmament.

57. The Soviet Union is prepared to take either of those roads and to solve the problem of disarmament in an over-all manner, by stages, or again in parts, through the implementation of partial measures. Moreover, we are prepared to discuss the aforesaid measures and ways to reach agreement on their implementation either separately or in regard to the whole set of measures simultaneously.

58. We should like to note also that discussions will be fruitful only if all the parties concerned show readiness to reach agreement. During the negotiations on general and complete disarmament which took place from 1962 to 1964 the Soviet Union was invariably guided by the desire to find mutually acceptable solutions which would meet the interests of peace and safeguard the security of the peoples, and it repeatedly went half-way to meet its partners in the negotiations. Thus, in an attempt to help bring the positions closer together, the Soviet Union altered its original proposals concerning the time limits for the implementation of disarmament, the levels of armed forces, the scale of reduction of conventional armaments, and so on.

59. In view of the apprehensions expressed by the United States and some other Western Powers concerning the simultaneous elimination of the means of delivery of nuclear weapons in the first stage of disarmament, as proposed in its original draft treaty, the Soviet Union proposed the so-called nuclear missile "umbrella".[19] We proposed that, until the end of the third and last stage of complete disarmament, the United States and the Soviet Union should retain a strictly limited number of delivery vehicles with nuclear warheads. The Soviet Union also expressed its willingness to accept a number of measures proposed by the United States for diminishing the danger

[19] *Documents on Disarmament, 1963*, pp. 515–516.

of war in the first stage of disarmament. However, the steps proposed and taken by the Soviet Union in order to find mutually acceptable solutions met with no response on the part of the Western Powers.

60. The Soviet delegation is firmly convinced of the necessity of taking decisive steps to work out a treaty on general and complete disarmament. The interests of mankind, the interests of future generations, urgently require us to remove the obstacles from the road leading to general and complete disarmament and, first and foremost, the main obstacle, the arms race, spurred on by certain Western countries members of NATO.

61. In its aforementioned statement of 10 April of this year the Soviet Union appealed to the countries members of the North Atlantic Alliance to put an end to the arms race and to embark on the road to disarmament. The statement says:

> the adoption of measures aimed at implementing disarmament is increasingly urgent. The Soviet Government is firmly convinced of the necessity resolutely and steadfastly to make progress towards disarmament, whatever efforts may be required, because there are no better or more reliable ways and means of ensuring true security and lasting peace.[20]

62. In advocating the continuation of negotiations on general and complete disarmament the Soviet delegation is convinced that if during these negotiations all the parties concerned show a constructive approach and a sincere endeavour to reach agreement on this cardinal problem of disarmament, the said problem will be solved, however complex it may be.

63. In conclusion, we should like to express the hope that the other delegations will also deem it possible to set forth in the Committee their views on these urgent questions upon which the future of mankind depends.

Note From Finland to Other Countries: Preparations for European Security Conference, May 6, 1969 [1]

The Government of the Soviet Union approached recently the Governments of European countries in the matter of the arrangement of a European security conference and of its preparations. This proposal concerning a special preparatory meeting was extended to the Government of Finland on April 8, 1969.

The Government of Finland has on several occasions stated that Finland considers a well prepared conference on European security problems useful. The Government of Finland considers well-founded the view of the Soviet Union that such a conference should be convened without any preliminary conditions. The participants should have the right to present their views and to make their proposals on European questions.

Furthermore, the Government of Finland is of the opinion that all Governments concerned should participate in such a conference. This

[20] *Ante*, p. 183.
[1] Department of State files.

opinion was expressed, e.g., in the Finnish-Soviet Communique in June 1966 on the occasion of the visit to Finland of the President of the Council of Ministers of the USSR, A. N. Kosygin.[2] At the Foreign Ministers' meeting of Finland, Denmark, Iceland, Norway and Sweden, held in Copenhagen on April 23 and 24, 1969, a joint position was defined according to which "preconditions for conferences on security problems are that they should be well prepared, that they should be timed so as to offer prospects of positive results, and that all states, whose participation is necessary for achieving a solution to European security problems, should be given opportunities to take part in the discussions."

The Government of Finland is, consequently, favourably disposed to the convening of a conference on European security problems. The success of such a conference requires careful preparations in advance. This is necessary to assure both a sufficiently representative participation and the technical arrangement of the conference. Considering the great importance of European security problems the prerequisites for success of the conference should be guaranteed as well as possible. The Government of Finland considers that the preparations for the conference should begin through consultations between the Governments concerned and, after the necessary conditions exist, a preparatory meeting for consideration of the questions connected with the arrangement of the conference could be convened.

Finland has good relations with all the countries which are concerned with European security and her impartial attitude towards the most vital problem of European security, the German question, has been appreciated by different interested parties. This is why the Government of Finland is willing to act as the host for the security conference as well as for the preparatory meeting provided that the Governments concerned consider this as appropriate.

The Government of Finland will send this memorandum to the Governments of all European states, to those of East and West Germany and to the Governments of the United States of America and Canada and will instruct her representatives to sound the position of these countries on the European security conference and to consult them on questions connected with the preparations of such a conference.

In view of this, the Government of Finland will closely follow this matter and consider what real possibilities it may have in order to take new measures on its part.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee: Sea-Bed and Ocean Floor, May 8, 1969 [1]

13. Among the problems that have given rise to lively discussion during the present session of the Eighteen-Nation Committee on Disarmament, the question of prohibiting the military use of the sea-bed,

[2] See *New York Times*, June 19, 1966, p. 22.
[1] ENDC/PV.409, pp. 7–15.

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the ocean floor and the subsoil thereof has occupied an important place. Many delegations have devoted special statements to this problem. A brisk exchange of opinions on various aspects of this problem and on the provisions of the Soviet draft treaty [2] took place at the informal meeting of the Committee on 30 April of this year. All this testifies to the general understanding of the importance of this problem and is an encouraging factor giving grounds for hope that the discussion will enable us to achieve positive results.

14. Consideration of this problem has been concentrated on three important aspects, namely, the scope of the prohibition, the geographical area to be covered by the treaty, and control over the fulfilment by States of the obligations assumed under the treaty.

15. The statements made by representatives, as well as meetings and talks with representatives outside the meetings of the Committee, have enabled us to note that there is taking shape in the Committee a common approach to the solution of two of those aspects, namely, the area to be covered by the future treaty and the methods of defining its limits, as well as the question of control over the fulfilment of the treaty. In the positions of the delegations on these questions there are many points of contact. At the same time substantial differences are observable on the question of the scope of the prohibition.

16. There are two main points of view on this question: The Soviet Union, as is well known, proposes prohibiting any military use of the sea-bed and the ocean floor beyond the limits of a twelve-mile maritime zone. This interpretation of the question corresponds to the fullest extent to resolution 2467 A (XXIII) of the United Nations General Assembly, which notes the needs to study the question of "the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor".[3] Such a decision would be in accordance with the interests of peace and security of the peoples and the requirement of preventing the arms race from spreading to the sea-bed and the ocean floor. The Soviet Union's point of view has been supported in the Committee by the majority of the delegations that have spoken on this question.

17. Thus, the representative of the United Arab Republic, Mr. Khallaf, stated that the position of his country is "to prohibit all military weapons and military activity on the sea-bed".[4] The representative of Sweden, Mrs. Myrdal, stated that "the prohibition must encompass all military installations".[5] The representatives of India,[6] Mexico [7] and Brazil [8] expressed themselves in principle as being in favour of the use of the sea-bed and the ocean floor for exclusively peaceful purposes.

18. We have noted that during the current session altogether fourteen delegations have expressed themselves in one way or another in favour of prohibiting military activities on the sea-bed and the ocean floor or have supported the principle of the exclusively peaceful use of that field. The fact that the majority of the members of the Commit-

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[2] *Ante*, pp. 112–113.
[3] *Documents on Disarmament, 1968*, pp. 802–804.
[4] ENDC/PV.403, p. 11.
[5] ENDC/PV.405, p. 22.
[6] ENDC/PV.404, p. 24.
[7] ENDC/PV.402, pp. 10–11.
[8] ENDC/PV.405, p. 10.

tee have expressed views on those lines is a reflection of world public opinion, which supports the thesis of the need to prevent the arms race from spreading to that part of the globe.

19. The delegations of the United States [9] and the United Kingdom [10] have defended the point of view that the prohibition of the military use of the sea-bed and ocean floor should be of a partial character and should cover only certain types of military activity, namely that only the placing of weapons of mass destruction on the sea-bed and the ocean floor should be prohibited.

20. In its statement of 3 April of this year, the Soviet delegation dwelt in detail [11] on the arguments put forward by the United States delegation in defence of that point of view. So far we have not heard from the United States delegation any new arguments or clarifications in respect of the position it has adopted. We should have liked the exchange of views in the Committee to be as lively as possible, as this would help the speediest progress to be made. In the interests of speeding up our work, permit me to explain briefly once again why the United States delegation's approach to the problem of prohibiting the military use of the sea-bed and the ocean floor gives rise to objections on our part.

21. In the first place, the kind of ban proposed by the United States would be insufficient, because it would not be able completely to exclude the sea-bed and the ocean floor and the subsoil thereof from the arms race. Nor would such a solution of the question correspond to the provisions of the aforementioned General Assembly resolution 2467 A (XXIII). The task is to take effective steps in order to prohibit military activities on the sea-bed and the ocean floor before the arms race spreads to that field. Otherwise we might find ourselves faced with the necessity of solving not the problem of preventing an arms race in that field but the problem of putting an end to it, and experience has shown that such a problem is much more complicated.

22. In connexion with the discussion on the question of the scope of the ban on the military use of the sea-bed and the ocean floor, it has been argued that this question should be considered in close connexion with the question of the geographical area to be covered by the treaty. Thus, the United Kingdom representative, Mr. Mulley, speaking on 17 April, said:

> Those two questions are closely linked and cannot be pursued separately; the area can be finally agreed only when we know what is to be banned, and vice versa.[12]

We should like the United Kingdom delegation to explain to us what, in its opinion, that link consists in. Should it be understood to mean that the more complete the prohibition the narrower will be the area to be covered? Or, vice versa, the narrower the concept of prohibition the wider will be the area to be covered?

23. In connexion with the discussion on the question of the scope of the prohibition some delegations have expressed the opinion that it

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[9] *Ante*, pp. 136–137.
[10] ENDC/PV.404, p. 9.
[11] *Ante*, pp. 151–158.
[12] ENDC/PV.404, p. 9.

would be desirable to define more precisely and enumerate the types of military activity which should be subject to prohibition on the sea-bed and the ocean floor. Experience has shown that attempts to draw up precise lists of various types of weapons and structures, or of various types of military activity, have often proved to be unnecessary and unsuccessful. On the contrary, broad, comprehensive concepts do not grow obsolete, since they apply also to new types of weapons or means of warfare.

24. The wording used in the Soviet draft treaty is sufficiently broad and covers the main types of military activity on the sea-bed and the ocean floor, and, moreover, not only those which are possible at the present time but also those which may become possible as a result of the development of military techniques.

25. In connexion with the discussion on the question of the scope of the prohibition there have been put forward proposals not to prohibit the use of the sea-bed and the ocean floor—for the emplacement of defensive weapons. We believe that such a solution would be wrong, since by making an exception for certain types of armaments on the sea-bed, we would thereby fail to accomplish the task of preventing an arms race in that field. Experience has also shown that the difference between defensive and offensive weapons is very relative and that so-called defensive weapons can also be used for offensive purposes. Moreover, such an approach would lead us into a maze of endless discussions concerning concepts, definitions, exceptions and so on.

26. The wish has also been expressed that definitions should be worked out for such concepts as "military base", "military installation" and so on. We believe that it is hardly necessary for us to set about defining these concepts more precisely. The concepts in question have been used repeatedly, and are being used, in international treaties and agreements. It suffices to refer to the fact that similar concepts have been used in the elaboration of the Antarctic Treaty [13] and the Treaty on Outer Space.[14] Since those Treaties have been in force, none of the states parties to the Treaties has ever questioned the accuracy or definitiveness of those terms.

27. In connexion with the discussion on the question of the scope of the prohibition, some delegations have referred to earlier statements of the Soviet delegation to the effect that a complete ban on the use of the sea-bed and the ocean floor for military purposes would not mean prohibiting the emplacement and use of means of communication, beacons and other structures having no direct military purpose, nor would it mean prohibiting the use of military personnel and auxiliary military equipment for peaceful research. Attempts have been made to interpret those statements as a kind of exception to the comprehensive ban proposed by the Soviet Union on the military use of the sea-bed and the ocean floor, and some delegations intimated that it would, allegedly, be desirable that the Soviet Union should make also other exceptions.

28. In connexion with such attempts at interpretation the Soviet delegation deems it necessary to explain that what is concerned in

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[13] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[14] *Ibid., 1967*, pp. 38–43.

both cases is the peaceful use of the sea-bed, namely, the conducting of scientific research for peaceful purposes and the emplacement of means of communication, beacons and other structures having no direct military purpose. This is precisely what the Soviet delegation spoke about in its earlier statements, giving these examples as types of peaceful activity which do not at all conflict with the aim of completely banning the use of the sea-bed and the ocean floor for military purposes. The aforesaid types of activity cannot be regarded as "exceptions" to the principle of prohibiting the use of the sea-bed and the ocean floor for military purposes.

29. Further, we should like to put forward some considerations on the question of the geographical area to be covered by the treaty. In this problem there are two aspects, and we are gratified to note that in regard to both of them there are no differences of principle in the positions of the delegations.

30. First, the question of the compass of such a geographical area. Many delegations have expressed themselves in favour of the thesis that the treaty should cover as great a part of the sea-bed and ocean floor as possible. Thus, the representative of India, Mr. Husain, stated:

> As regards the definition of limits beyond which the prohibitions should apply, there would appear to be no disagreement that as large an area of the sea-bed as possible should be reserved for peaceful purposes.[15]

The representative of Sweden, Mrs. Myrdal, stated that "the geographical area to be covered by the prohibition should be as large as possible." [16] The United States representative, Mr. Smith, speaking on 25 March, stated that:

> . . . the United States believes that the goal should be to apply the arms control measure to as broad an area of the sea-bed as possible; therefore the prohibition should, we think, apply to the sea-bed beyond a narrow band along the coasts of States.[17]

31. That is precisely the approach underlying the Soviet draft treaty, which envisages that the prohibition of measures of a military nature should cover the whole area of the sea-bed and the ocean floor beyond the twelve-mile maritime zone of coastal States. We are convinced that with such an approach it is possible to have the maximum area possible covered by an agreement on the demilitarization of the sea-bed and the ocean floor.

32. Secondly, the question of the method of defining the limits of the area to be covered by the treaty. Practically all the delegations that have spoken on this question have mentioned the desirability of separating this matter from the question of the limits of national jurisdiction, territorial waters and so on, and of working out, in order to define such limits, other criteria which would not affect and would not prejudge the complicated and controversial legal issues connected with the problem of the limits of national jurisdiction.

33. We believe that such an approach is the most realistic and therefore the most promising for a solution of the problem before us.

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[15] ENDC/PV. 404, p. 24.
[16] ENDC/PV. 405, p. 22.
[17] *Ante*, p. 137.

Guided by the desire to separate the question of the limits of the area to be covered by the treaty from controversial questions concerning the limits of national jurisdiction, the Soviet Union has proposed establishing for the purposes of this treaty a twelve-mile maritime zone, beyond which the military activities of States on the sea-bed and the ocean floor and the subsoil thereof would be prohibited. In doing so we have in mind that the establishment and existence of such a zone would in no way affect problems of the national jurisdiction of coastal States and would not create obstacles to the exploitation of the natural resources of the seas and oceans.

34. We believe that the closeness of the points of view as regards the principle of the approach to this problem gives us grounds to hope for the achievement of agreement in this matter and in regard to the concrete application of such a principle. Our proposal for a twelve-mile coastal zone provides such a concrete solution of the question.

35. In connexion with consideration of the proposal to establish a twelve-mile maritime zone some apprehensions have been expressed regarding the rights of States whose territorial waters are narrower than the proposed twelve-mile maritime zone. What those apprehensions are concerned about is that States whose territorial waters do not stretch to a width of twelve miles might, it is alleged, find that foreign military installations would be moved closer than twelve miles from their shores. There are no grounds for such apprehensions. The Soviet proposal for the establishment of a twelve-mile maritime zone is based on the premise that such a zone is to be established for all coastal States irrespective of the width of their territorial waters. Consequently, also those States whose territorial waters are under twelve miles would be protected by the twelve-mile zone established for the purposes of this treaty. The solution to the problem which we propose is aimed at creating equal conditions for all States and does not allow of any interpretation that would lead to infringement of the rights of States whose territorial waters are narrower than the twelve-mile maritime zone.

36. The question has also been raised in the Committee whether, in defining the limits of the area to be covered by the treaty, it would not be possible to combine the principle of a certain distance from the shore with the principle of the depth of the maritime waters. We believe that such a "combined" method would be wrong, first of all, because it would put the coastal States on an unequal footing by virtue of the difference in the geographical conditions of their situation and the nature of the surrounding sea-bed. Apart from all else, an attempt to co-ordinate such a method would give rise to great difficulties and might delay for a long time the elaboration of a treaty prohibiting the military use of the sea-bed and the ocean floor.

37. Some representatives have also referred in their statements to questions of how the treaty would apply to international straits, gulfs and so on. The Soviet draft treaty contains an answer to those questions. Article 3 reads:

> **The outer limit of the twelve-mile maritime zone established for the purposes of this Treaty shall be measured from the same baselines as are used in defining the limits of the territorial waters of coastal States.**

38. Thus, in defining the limits of this zone, account will be taken of the practice of States and the experience of international relations accumulated so far, which has been given expression in agreements and conventions. In particular, the Convention on the Territorial Sea and the Contiguous Zone signed in Geneva in 1958 [18] contains precisely formulated principles for determining the base-lines to be applied in designating the territorial waters of coastal States.

39. Turning to the question of control over fulfilment of the treaty, we note the existence of many points of contact in the positions of delegations on this question. Many of the delegations that have spoken have stressed the need to establish control and have suggested that we should be guided in this by the principles worked out for the verification of compliance with the Antarctic Treaty and the Treaty on Outer Space.

40. This, in our opinion, would be a reasonable approach, since the aforesaid two treaties and the proposed treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof, while differing in some respects, have many points in common as regards the nature of the problem and the solution proposed.

41. The draft treaty submitted by the Soviet delegation provides for the system of control used in those agreements, namely, free access to objects placed on the sea-bed and the ocean floor and the subsoil thereof, by States parties to the treaty on the basis of reciprocity.

42. Some delegations, if we are to judge from their statements in the Committee, maintain the position that the complete prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof would complicate the problem of control. Thus, for instance, the United States representative said on 25 March:

> **Consideration of the verification question also demonstrates the need to restrict the scope of the prohibition to weapons of mass destruction, since otherwise the task of inspecting the multitude of present and future facilities would be beyond capabilities.[19]**

43. Such a point of view is incomprehensible to us. We have already pointed out in our statement of 3 April that, in our opinion, the complete prohibition of the use for military purposes of the sea-bed and the ocean floor would facilitate, whereas a partial ban, being limited to prohibiting only the emplacement of weapons of mass destruction, would complicate the problem of control.[20] We should like the United States delegation to explain its view that a partial ban would facilitate the problem of control.

44. Some representatives have raised the question whether it would not be possible to give control an international character. In our opinion, there is no need for this. Control based on the principle of free access has proved its effectiveness, particularly in verifying compliance with the Antarctic Treaty.

45. The use of international means of verification would greatly complicate the problem of control, and the control machinery itself

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[18] 516 UNTS 205.
[19] *Ante*, p. 137.
[20] *Ante*, p. 155.

would most probably be cumbersome and inflexible. It should also be noted that the adoption of an international system of control would require substantial funds and appropriate personnel that could be used for other, more urgent needs.

46. Besides the aforementioned three important aspects of the problem of prohibiting the use for military purposes of the sea-bed and the ocean floor, the statements of delegations also touched upon other questions connected with the draft treaty, for instance, the question of the depositary countries; of the minimum number of ratifications required for the treaty to enter into force; of certain formulas of the preamble and so on.

47. We believe that these questions deserve consideration, but it will be easier to find solutions to them if we reach agreement on the basic questions. In this connexion I should like to stress that it is important that amendments or additions to the provisions of the treaty should be aimed at strengthening it and not at weakening it.

48. We should like to hope that as a result of the discussion the Committee will be able to come to a constructive decision and that in the Committee's report to the twenty-fourth session of the United Nations General Assembly we shall be able to state that we have succeeded in achieving a mutually acceptable solution which meets the interests of the peoples and is in accordance with the recommendations of the United Nations General Assembly, particularly its resolution 2467 A (XXIII).

49. We are convinced that to do so the necessary objective conditions exist and that the treaty prohibiting the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof can become in the fairly near future a real fact, exercising a positive influence on international life and on the further progress of the cause of disarmament. The Soviet delegation for its part will endeavour to contribute to the utmost to such a solution of the problem.

Statement by ACDA Deputy Director Fisher to the Eighteen Nation Disarmament Committee: Sea-Bed and Ocean Floor, May 15, 1969 [1]

21. I have listened with interest to the thoughtful remarks which have been made by our colleague, the Nigerian representative, and the United States delegation will give to his statement and to the working papers which he has submitted the careful consideration they so obviously deserve. Today I should like to deal primarily with the problem of the sea-bed and ocean floor.

22. President Nixon, in his letter to Ambassador Smith of 15 March, indicated that:

> the United States is interested in working out an international agreement that would prohibit the emplacement or fixing of nuclear weapons or other weapons of mass destruction on the sea-bed.[2]

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[1] ENDC/PV.411, pp. 10–15.
[2] *Ante*, pp. 109–110.

The United States delegation is here to try to work out such an agreement.

23. Today I intend to confine my remarks primarily to the question of the scope of the prohibition since this appears to be the major area of difference of views. The United States, and we believe many other major naval Powers which either are entirely insular or which have long coast lines, would be unprepared to accept a total ban on all military activities on the sea-bed. However, we believe that the main—indeed the only—worrisome threat to the peaceful future of the sea-bed is the possibility of the fixing or emplacement on the sea-bed of nuclear weapons and other weapons of mass destruction. The United States is convinced, moreover, that we have a good chance of successfully negotiating an agreement which will prevent an arms race on the sea-bed if we focus our attention on nuclear weapons and other weapons of mass destruction. In particular, the United States is convinced that by concentrating on these weapons we can reduce the problem of verification to manageable proportions. But the United States is also convinced that if we permitted ourselves to be diverted to attempts to work out a sweeping prohibition on the "use for military purposes of the sea-bed and ocean floor" or to try to prohibit the placing on the sea-bed and ocean floor of all "objects of a military nature", we would raise problems of verification which would be insuperable and make it impossible for us to reach an agreement.

24. In considering the question now under consideration—the prevention of an arms race on the sea-bed—we must bear in mind the nature of this environment. The territory of the sea-bed is vast; it amounts to 135 million square miles, or nearly 70 per cent of the earth's surface. The water which covers the sea-bed is, for all practical purposes, opaque. Visibility is limited to ten yards or so. The physical environment of the sea-bed is hostile to man. In many parts of the ocean the sea-bed is many miles in depth. Moreover, most of the sea-bed is under pressures which are from tens to many hundreds of times the pressure under which we live in the atmosphere. These are pressures in which man, unless enclosed in a pressure-resistant device, cannot function or in most instances even survive.

25. We must consider the problem which the environment of the sea-bed presents to the emplacement or fixing of nuclear weapons or other weapons of mass destruction as part of an effective weapons system. Nuclear weapons and other weapons of mass destruction are complex devices. To be effectively utilized, they require sophisticated delivery systems and extensive command and control systems. They also require periodic maintenance. Moreover, countries which control nuclear weapons can be expected, for their own protection, to enforce a high degree of security in exercising control over them. They are not likely to let them "lie around loose", so to speak, in an international régime like the sea-bed, but will require a protective system to prevent other countries from rendering them ineffective or even capturing them.

26. Now in some circumstances certain countries might think that the military benefits to be gained from emplacing or fixing nuclear weapons on the ocean floor would be so great as to warrant the effort to devise a system which would meet these requirements in the envi-

ronment of the sea-bed. That is the reason why we are here discussing this item as a realistic item of preventive disarmament. But it is almost inconceivable that a country would emplace or fix nuclear weapons on the sea-bed or ocean floor unless these weapons were housed in quite a substantial installation, capable of meeting the requirements I have just outlined. The emplacing or fixing of an installation on the ocean floor which would meet these requirements would be quite a difficult operation, involving extensive engineering activity. It would be unlikely to escape the attention of other maritime Powers. Under the United States proposal, the only question that would have to be resolved would be whether this installation contained a nuclear weapon or other weapons of mass destruction.

27. In this connexion I should like to note the thoughtful observations made by our colleague the representative of Poland when on 24 April he pointed out that there may be modern sophisticated weapon systems that might be installed on the sea-bed which could be used for both conventional and nuclear means of warfare although it might be uneconomical to emplace the necessary installations solely for conventional weapons.[3] This is an interesting point, but I would respectfully submit that it does not lead to the acceptance of a treaty involving the complete demilitarization of the sea-bed. It does, however, raise the question of whether the prohibition should be extended to the emplacing or fixing on the sea-bed of launching platforms capable of handling nuclear weapons or other weapons of mass destruction, whether or not a warhead containing such weapons were actually attached. Indeed, Ambassador Smith, in his intervention on 25 March suggested this possibility as a possible measure to prevent a State from preparing for a sudden abrogation of the treaty.[4]

28. Our colleague the Soviet representative has maintained that if we limit the prohibition to weapons of mass destruction the verification problem will be more complicated. We have heard a similar argument today from another respected representative in this Committee. With the greatest personal respect I should like to express a contrary view. Ambassador Roshchin stated in his remarks at our meeting on 3 April:

> Indeed, if the ban covered only certain types of activity, the controlling party would be faced in each specific case with the question of whether the object concerned had to do with prohibited or permitted activities.[5]

The United States maintains, however, that the parties to the treaty would be faced with that question much more frequently under a total ban such as that suggested by the Soviet Union. Indeed they would be faced with the impossible task of having to decide whether each and every object or installation emplaced on the sea-bed was of a "direct military nature". How would the parties verify and control all these particular activities? They would be dealing with a vast number of objects, many of which are inconspicuous in themselves and do not require installations. How would the parties be aware of even a small proportion of these activities that might be carried on in a

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[3] ENDC/PV.406, pp. 8–9.
[4] *Ante*, p. 136.
[5] *Ante*, p. 155.

clandestine manner over the vast and murky area of the ocean floor? For those reasons, I respectfully submit, the Soviet proposal for complete demilitarization would pose insuperable verification problems, well beyond the present or projected capability of any State.

29. The very possibility of peaceful installations on the sea-bed and the ocean floor means that any agreement we work out will have to concern itself with the nature of particular installations. Moreover, we must evaluate this problem not merely against the background of the peaceful activity which is taking place on the sea-bed now but against the background of the extension of commercial, scientific and other research activities that will doubtless be taking place on the sea-bed in the coming years.

30. Against that background of increasing peaceful activity on the sea-bed, if the prohibition is limited to banning nuclear weapons and other weapons of mass destruction, the parties will be faced with a far more manageable problem of verification—and they will be faced with that problem much less frequently—than they would be under a proposal for complete demilitarization. Indeed, they need only be concerned with whether a given installation contains nuclear or other weapons of mass destruction, which, as I indicated before, are the main—indeed the only—realistic threat to peaceful uses of the sea-bed. Such complex installations would be much less difficult to detect, for the reasons I have already mentioned.

31. In his intervention on this subject at our meeting on 25 March Ambassador Smith stated that in the United States view "complete demilitarization of the sea-bed would . . . be simply unworkable and probably harmful".[6] In his intervention at our meeting on 3 April our Soviet colleague, Ambassador Roshchin, took issue with that point of view[7] and, again with the greatest personal respect, I should like to place before this Committee an illustration of why an unverifiable ban on the placing of any objects of a military nature on the sea-bed could be a threat to the security of States.

32. I think we would all agree that a system placed on the sea-bed which is designed to provide information on the presence of submarine traffic is an object of a military nature, and that emplacing such a system on the sea-bed would thus involve using the sea-bed for a military purpose. As such it would be prohibited according to the provisions of the Soviet draft treaty if it were placed more than twelve miles off the coast—as indeed it might well have to be in order to be effective. And yet I think we would also agree that it would be virtually impossible to verify whether or not other countries had emplaced such devices on the sea bottom. So we are faced with this question: In these circumstances is it realistic, is it consistent with the concept of balance contained in the fifth point of the Joint Statement of Agreed Principles for Disarmament Negotiations,[8] is it in the interests of peace, to suggest that the country should agree not to emplace such a device itself? I would submit that it is not. As Ambassador Smith pointed out at our meeting on 25 March, the existence of submarine forces

[6] *Ante*, p. 136.
[7] *Ante*, pp. 154–155.
[8] *Documents on Disarmament, 1961*, pp. 439–441.

requires States to take action in self-defence, such as establishing warning systems that use the sea-bed.[9] The United States is not prepared to enter into a treaty which would throw the propriety of these systems in doubt.

33. Before concluding I should like to deal with two arguments which have been used against prevention of an arms race on the sea-bed by a prohibition of a type that the United States believes to be realistic.

34. The first is an argument based on an analogy to the language of the Antarctic [10] and outer space Treaties. In particular it has been based on a quotation of a portion of article IV of the outer space Treaty. Several delegations have referred to the fact that the second pararaph of article IV provides that the moon and other celestial bodies "shall be used . . . exclusively for peaceful purposes," and that "the establishment of military bases, installations and fortifications, the testing of any type of weapons and the conduct of military manoeuvers . . . shall be forbidden" on those celestial bodies.[11]

35. Those relying on that paragraph of article IV as a basis for support of an argument for complete demilitarization of the sea-bed fail to take into account the fact that the first paragraph of article IV, dealing with outer space generally, as distinguished from the moon and other celestial bodies, limits its undertaking to a commitment "not to place in orbit around the earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction". Here we have two types of prohibition, one dealing with outer space generally which is limited to nuclear weapons or other weapons of mass destruction and one dealing with the moon and other celestial bodies. If we are looking for analogies, we submit that we would have to recognise that the sea-bed, which is within the area that man is at present exploring, is more closely comparable to outer space, where man has been travelling for almost a decade, than to the moon and other celestial bodies, where man has not yet been present.

36. The second argument for considering only a complete demilitarization of the sea-bed has been based on the text of General Assembly resolution 2467 A (XXIII). Paragraph 3 of that resolution calls upon the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor to "study"—and I should like to emphasize the word "study"—"the reservation exclusively for peaceful purposes of the sea-bed and the ocean floor" and to do so "taking into account the studies and international negotiations being undertaken in the field of disarmament".[12]

37. It is apparently argued that because the General Assembly, by a vote of 112 to none, with 7 abstentions, called for such a study by another committee—the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor—the General Assembly has decided that this Committee, the Eighteen-Nation Committee on Disarmament, must negotiate an agreement which provides that no military activities may be carried out on the ocean floor. That argument appears to involve

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[9] *Ante*, p. 136.
[10] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[11] *Ibid., 1967*, pp. 38–43.
[12] *Ibid., 1968*, pp. 802–804.

a prejudgment of the results of the study contemplated in General Assembly resolution 2467 A (XXIII) as well as a prejudgment of the negotiations which we are now conducting in the Eighteen Nation Committee on Disarmament.

38. Moreover, that argument is not consistent with the legislative history of the resolution as it was developed at the twenty-third session of the General Assembly. The United States is one of the countries that voted for this resolution. Before it did so, it made it quite clear that in its view the reference to "peaceful purposes" in the resolution did not involve an obligation to negotiate an arms control agreement which precluded all military activities. It also made it clear that military activities not specifically precluded by the arms control agreement which might be negotiated would continue to be conducted, but would be conducted, of course, in accordance with the principle of freedom of the seas and for purposes consistent with the United Nations Charter and other obligations of international law.

39. To sum up, the United States is of the firm belief that we should work towards an international agreement whose provisions would be realistic enough to curb the major threat of an extension of the arms race to the sea-bed and at the same time would assure Parties that they might have confidence that the agreement is being observed. We believe that an agreement banning the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed would accomplish that goal, and we also believe that such a measure is obtainable before this Committee submits its report to the General Assembly.

Nigerian Working Paper Submitted to the Eighteen Nation Disarmament Committee: Comprehensive Test-Ban Treaty, May 15, 1969 [1]

The question of verification constitutes the greatest stumbling block to concluding a Comprehensive Test Ban. Although much progress has been made in developing the means of identifying earthquakes or nuclear explosions through long range teleseismic systems, the experts are all agreed that there is yet a gap to be bridged to make the seismic identification system foolproof.

In the general atmosphere of suspicion and distrust among states it is little wonder that exclusive reliance on seismic identification has not found full acceptance.

The Nigerian Delegation considers that to inspire the confidence necessary for concluding the Test Ban Treaty, a foolproof method of verification must be established. This will involve the augmentation of seismic verification with some other form of verification where the former is inconclusive.

The Nigerian Delegation is well aware of the reservations about "on-site" inspections. The Delegation believes that these reservations do not attach to the system, per se, but stem from the uneasiness that

[1] ENDC/246, May 15, 1969.

"on-site" inspections might be exploited for purposes of espionage. If therefore the possibility of espionage can be eliminated or reduced considerably, "on-site" inspections, where seismic verifications are inconclusive will, it is hoped, be acceptable.

In its working paper ENDC/232 of 20th August 1968 the United Kingdom Delegation proposed the establishment of a Committee that will undertake "on-site" inspections if strong evidence of a possible infringement of a Test Ban Treaty was produced. The proposal envisaged the inclusion of the super-powers in the Committee. Such an inclusion will not remove the basis of the reservations about "on-site" inspections. To overcome this short-coming, the Nigerian Delegation now recommends that the Committee should be composed, exclusively, of non-aligned countries that have signed the Non-Proliferation Treaty [2] and possess the technological know-how to cope with the implications of such inspections.

Such a Committee of non-aligned countries should allay apprehensions about "on-site" inspections. Since they would have signed the Non-Proliferation Treaty, the members of the Committee should not be interested in atomic weapon espionage because that Treaty prohibits them from putting into practical use any knowledge of nuclear weapons they may thus unlawfully acquire. On the other hand, their being non-aligned will ensure that they are unlikely to act as agents of the super-powers.

United States Proposal Submitted to the Eighteen Nation Disarmament Committee: Draft Treaty Prohibiting the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor, May 22, 1969 [1]

The States Parties to this Treaty,

Recognizing the common interest of all mankind in the progress of the exploration and use of the seabed and ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty will further the principles and purposes of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. Each State Party to this Treaty undertakes not to emplant or emplace fixed nuclear weapons or other weapons of mass destruction

[2] *Documents on Disarmament, 1968*, pp. 461–465.
[1] ENDC/249, May 22, 1969.

or associated fixed launching platforms on, within or beneath the seabed and ocean floor beyond a narrow band, as defined in Article II of this Treaty, adjacent to the coast of any State.

2. Each State Party to the Treaty undertakes to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by this Article.

Article II

1. For purpose of this Treaty, the outer limit of the narrow band referred to in Article I shall be measured from baselines drawn in the manner specified in Paragraph 2, hereof. The width of the narrow band shall be three (3) miles.

2. Blank (Baselines)

3. Nothing in this Treaty shall be interpreted as prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or nonrecognition of rights or claims asserted by any other State, relating to territorial or other contiguous seas or to the seabed and ocean floor.

Article III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the Parties to the Treaty shall remain free to observe activities of other States on the seabed and ocean floor, without interfering with such activities or otherwise infringing rights recognized under international law including the freedoms of the high seas. In the event that such observation does not in any particular case suffice to eliminate questions regarding fulfillment of the provisions of this Treaty, Parties undertake to consult and to cooperate in endeavoring to resolve the questions.

2. At the review conference provided for in Article V, consideration shall be given to whether any additional rights or procedures of verification should be established by amendment to this Treaty.

Article IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the State Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article V

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

ARTICLE VI

Each Party shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events, related to the subject matter of this Treaty, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

Statement by ACDA Deputy Director Fisher to the Eighteen Nation Disarmament Committee: Sea-Bed and Ocean Floor, May 22, 1969 [1]

2. The idea of an arms control agreement for the sea-bed is basically responsive to a technological fact of life: the fact that the environment of the sea-bed is becoming increasingly accessible to man. At the same time it may be said that if we succeed in arriving at an arms control agreement for the sea-bed we shall have added one more important element to the larger picture of international restraints on armaments which has been taking form.

3. Viewed as one more step in that all-important process, a sea-bed agreement appears as the logical follow-on to the Antarctic Treaty [2] and the outer space Treaty; [3] and indeed it would be analogous in many ways to those Treaties. It would be analogous in many ways but not in all ways, for the sea-bed is a unique environment, with its own special characteristics. Foremost among these, for our purposes, is the obvious but important fact that the sea-bed is coterminous with the sea itself, which has been used for offensive and defensive military action since almost the beginning of history. Hence the belief of the United States that, in the circumstances in which we are now living, total demilitarization of the sea-bed is scarcely practical or attainable.

4. We have studied intensively the elements which might comprise a successful arms control agreement for the sea-bed, as we have studied very carefully the views which have been put forward in this Committee. We believe that great progress has already been realized in approaching this complex subject, and that we have now reached the point where it is useful and appropriate to set forth our views in the form of a draft treaty.

5. From the statements that have been made here I believe we can all agree that there exists a desire on the part of all the members of this Committee to make progress rapidly towards preventing an arms race on the sea-bed and to arrive, if possible, at an agreement on this subject before the next session of the General Assembly. There have, however, been several suggestions as to how that goal can best be

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[1] ENDC/PV.414, pp. 4–10.
[2] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[3] *Ibid., 1967*, pp. 38–43.

achieved. Some delegations have proposed a complete demilitarization of the sea-bed. That concept is embodied in the draft treaty submitted by the representative of the Soviet Union on 18 March.[4] There have been other suggestions. Some have suggested a catalogue of the various types of installations which should be prohibited; others have suggested that specific exceptions should be written to permit certain defensive installations.

6. For its part the United States has attempted to make clear, in its statements of 25 March [5] and 15 May,[6] its belief that the only practical way to prevent an arms race on the sea-bed would be an agreement banning the emplacement or fixing of nuclear weapons and other weapons of mass destruction on the sea-bed. Such an agreement would remove the major threat to the peaceful uses of the sea-bed. At the same time it would reduce the verification problem to manageable proportions and would be consistent with the security interests of coastal States. Accordingly, on the instructions of the United States Government, we are submitting for the consideration of the Committee a draft treaty which would prohibit the emplacement or fixing of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor.[7] I believe that draft has now been circulated to the members of the Committee. We are of the firm conviction that by adopting this approach we shall accomplish in the simplest and speediest manner our task of preventing the extension of the arms race to the sea-bed.

7. I should like now to discuss briefly the individual articles of our draft treaty.

8. The first paragraph of article I prohibits any party from emplanting or emplacing fixed nuclear weapons or other weapons of mass destruction on, within, or beneath the sea-bed and the ocean floor beyond a narrow band—a band defined in article II—adjacent to the coast of any State. The prohibition would also apply to fixed launching platforms associated with nuclear weapons and other weapons of mass destruction whether or not a missile or a warhead containing a nuclear weapon or other weapon of mass destruction was actually in place. We believe that this is responsive to the thoughtful suggestions made by our Polish colleague.[8] The language of the prohibition goes to the heart of our greatest concern, namely, that the sea-bed might be used as an area for the emplacement of weapons of mass destruction. Paragraph 2 of article I obligates each party to refrain from causing, encouraging, facilitating or in any way participating in the activities prohibited by the first paragraph of article I.

9. Article II deals with the limits of the narrow band mentioned in article I and with the question of territorial sea claims. Paragraph 1 of article II establishes the boundary of the narrow band. In deciding on the width of the band which the United States would propose, we have taken into consideration two views expressed by nearly all the members of this Committee who have spoken on the subject. The first is that the prohibition should extend to the maximum practical area of the sea-

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[4] *Ante*, pp. 112–113.
[5] *Ante*, pp. 134–138.
[6] *Ante*, pp. 205–210.
[7] *Supra*.
[8] ENDC/PV.406, pp. 6–12.

bed. The second is that the limits establishing the area in which the prohibition would apply should be separated from such complex issues as territorial sea claims and national jurisdiction. This view concerning separation has been given express recognition in paragraph 3 of article II. We believe that, once that separation has been expressly recognized, setting the width of the narrow band at three miles, as is done in paragraph 1 of article II, responds to both of those views.

10. First of all, as compared with the twelve-mile width, it would add roughly 2 million square miles of sea-bed to the area of prohibition. That is an area in which, it might be pointed out, the temptation to extend the nuclear arms race might be very great, because of its proximity to the shore. Secondly, by placing the outer limit of the narrow band at three miles we have avoided the complex questions associated with the extent of national jurisdiction. Moreover, it takes care of the concern expressed by several delegations over the status of the zone that would exist between a twelve-mile limit, for example, and the outer limits of territorial waters that were less than twelve miles. Under the draft treaty we are now presenting no such zone would exist, since the three-mile limit represents, I believe, the narrowest claim for a territorial sea.

11. Paragraph 2 of article II, at present blank, would define the baselines from which the outer limit of the three-mile narrow band would be measured. We believe such definitions of baselines are necessary in view of existing claims to certain marginal seas as internal waters. In order to establish equitable boundaries and balanced obligations for all parties to the treaty, agreement will need to be worked out on how such marginal seas are to be treated. In this connexion it might be desirable and practical to draw on an existing international agreement dealing with the establishment of baselines. For its part the United States is prepared to accept baselines drawn in a manner specified in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone[9] if agreement can be reached on the appropriate interpretations of that Treaty as applied to the relevant areas in question.

12. Article III of the draft treaty being submitted today deals with verification. As is well known, the United States has consistently supported the principle of adequate verification for all arms control agreements. The question arises as to what constitutes "adequate" verification of this particular measure in the light of our present and developing capabilities. That is not an easy question to answer, particularly in view of the immense technical problems associated with operating in the hostile environment of the sea-bed. However, if we can ensure that the parties to the treaty remain free to observe the activities of other States on the sea-bed and ocean floor, we are confident that such observation will provide appropriate verification for the purposes of the treaty. One reason for this is our feeling that if a party were to violate this treaty it would not limit itself to the installation of a single weapon. If it were to violate the treaty, it would doubtless do so on a large scale.

13. Paragraph 1 of article III of our draft treaty therefore ensures the right of observation of activities on the sea-bed and ocean floor to be

[9] 516 UNTS 205.

carried on in a way which does not interfere with the activities of States on the sea-bed or otherwise infringe rights recognized under international law, including freedom of the high seas. Paragraph 1 of article III also provides that in the event such observation does not in any particular case suffice to eliminate questions regarding fulfilment of the provisions of the treaty, the parties undertake to consult and to co-operate in endeavouring to resolve the questions.

14. I am aware that the draft treaty placed before this Conference by the Soviet representative contains the flat provision that all installations and structures on the sea-bed shall be open for verification, a provision which is qualified only by the requirement of reciprocity. Comparisons between the Soviet draft treaty and our draft treaty will be inevitable. Therefore, I should like to address myself to the Soviet draft treaty, in no spirit of contentiousness but in a spirit of carrying on the deliberations of this Committee, as we must. The verification provision of the Soviet draft treaty is of course modelled on the provision in the outer space Treaty for verifying that there are no military installations on the moon or other celestial bodies. But an attempt to transplant, so to speak, a provision applicable to the moon—where all claims of national jurisdiction have been renounced—to the sea-bed, where there are many existing claims of national jurisdiction and a growing number of scientific and commercial uses, raises many difficult political and legal questions. In addition, there would be an immense technical problem in living up to such an unqualified verification provision in the hostile environment of the sea-bed. For example, the entry of an observer into any installation on the sea-bed, if it is at great depth and, as a result, at great pressure, would be both difficult and dangerous. The solution of that problem might require special equipment designed for each particular type of installation. The entry into even one installation, in addition to being hazardous, could take lengthy preparation and be extremely expensive. In order to avoid complicated efforts to establish any such procedure at this time, the United States proposes a simple and straightforward verification system based on observation and consultation to resolve any questions as to compliance with the treaty which the observation might have raised.

15. The United States believes such a system would be workable. In my statement on 15 May I set forth the reasons why the emplacing or fixing on the ocean floor of an installation that was capable of serving as part of an effective weapons system involving nuclear weapons or other weapons of mass destruction would be unlikely to escape the attention of other maritime Powers.[10] If other maritime Powers became aware of this activity, as we believe they would, and if they suspected a violation of the treaty, they could act under the observation provision of article III of the United States draft. Let us consider the role this observation could play in verifying compliance with the treaty.

16. If the installation had a configuration which could contain a missile for delivery of a nuclear weapon, and apertures or hatches from which such a missile could be launched, this would be observable. If the installation had communications facilities for a sophisticated

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[10] *Ante*, p. 207.

command and control system, this might also be observed. And if the installation contained an airlock, designed to permit entry of personnel, or contained large detachable parts, which could be detached for maintenance, this too could be observed.

17. All the questions raised by those observations would have to be resolved by the consultation provided for in article III, and the other party would be committed to co-operate to resolve them. I can assure the Committee that if the United States were to request consultations under this article, it would not propose to let the consultations drop until its questions were satisfactorily resolved.

18. I might add that this procedure for verification, involving observation and consultation, would be available to all parties to the treaty.

19. In our view, international consultation would thus play an important role in the treaty's provision for verification without the need for a special international verification organization, which we would consider as both premature and wasteful of resources.

20. The United States believes that the verification procedure set forth in article III of this draft, which I have just described, is consonant with our present and developing capability to verify activities on the sea-bed. We also believe that it is appropriate to protect against the threat that we have reason to be concerned about both now and in the immediate future. But the draft treaty we are presenting today provides that five years after its entry into force a review conference will be held. If technological and other developments warrant revision of the verification provision of the treaty, they can be considered at that time. So that there can be no doubt as to our intentions in this regard, paragraph 2 of article III expressly provides that the review conference shall consider whether any additional rights or procedures of verification should be established.

21. Article IV provides for amendments to the treaty, and is identical in language to article XV of the outer space Treaty.

22. Article V of the draft treaty we are presenting today provides for the review conference which I have already mentioned. The conference would meet here in Geneva five years after the entry into force of the treaty, and review the operation of the treaty with a view to ensuring that the purposes of the preamble and the provisions of the treaty are being realized. The provision for the review conference has been included because the United States considers the treaty as an initial undertaking in a complex environment. Accordingly, the United States believes that all parties will have an interest in ensuring that there is an opportunity to consider the effect of technological or other changes on the operation of the treaty. Article V also provides that the review conference shall determine, in accordance with the views of a majority of the parties attending, whether and when an additional review conference shall be convened.

23. Article VI of our draft treaty contains a withdrawal provision which is identical to that found in paragraph 1, article X of the non-proliferation treaty.[11] This type of clause found its origin in a similar provision in the limited test ban Treaty.[12]

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[11] *Documents on Disarmament, 1968*, pp. 461–465.
[12] *Ibid., 1963*, pp. 291–293.

24. That completes the description of the operational clauses of the treaty. There will, of course, have to be some routine provisions dealing with the entering into force of the treaty, accessions, official languages, and so on. But if we can agree on the operational clauses—and, after all, these are the clauses which have been under discussion and on which differences have appeared—then the routine provisions should not be difficult and can be worked out at a later stage of the negotiations, once progress has been made towards agreement on the substantive treaty articles.

25. In conclusion, the United States delegation has repeatedly expressed its hope that this Committee can reach a satisfactory agreement which would prevent the nuclear arms race from spreading to the sea-bed. Likewise, we are convinced that such an agreement must be reached quickly, since it might be much more difficult, and perhaps not possible, to reach agreement once deployments had started. It is for these reasons that the draft treaty which we have submitted today does not attempt to solve all the problems at once. Rather it is designed to be a realistic and important first step towards more comprehensive disarmament. That is why we have included a provision that would subject the treaty to review and to possible amendment in the light of the experience gained in its operation and of technological developments which could bear on such issues as, for example, verification.

26. Finally, I should like to add that I believe the draft treaty we have submitted today provides a sound basis for negotiating a realistic and meaningful agreement—one which will add a significant restraint to the nuclear arms race, and, at the same time, help to ensure that the resources of the sea-bed are used for the benefit of all countries.

Italian Paper Submitted to the Eighteen Nation Disarmament Committee: Additional Suggestions on Underground Nuclear Explosions, May 22, 1969 [1]

(1) On August 23, 1968 the Italian Government submitted to the Eighteen Nation Committee on Disarmament some suggestions with a view to achieving partial progress in the field of the suspension of underground nuclear tests.[2]

(2) Under Para. 3 (a) of the mentioned working paper it was suggested that "Governments responsible for underground nuclear explosions should act in a different manner according to whether nuclear explosions for peaceful or for military purposes are concerned. The former, before being carried out, should be announced to the United Nations with all the necessary details". Taking into account different opinions expressed on this subject, and also some important events that have since taken place—namely the approval by the United Nations General Assembly of the Non-Proliferation Treaty [3]—it is

[1] ENDC/250, May 22, 1969.
[2] *Documents on Disarmament, 1968*, pp. 586–587.
[3] *Ibid.*, pp. 461–465.

now suggested that the notification envisaged in the aforementioned Para. 3 (a) should, instead, be made to the International Service for nuclear peaceful explosions to be set up within the framework of IAEA (General Assembly Resolution 2456–C XXIII).[4]

(3) Para. 3 (c) of the Italian working paper of August 1968 suggested that "Non-nuclear Governments, in their turn, should submit a list of experts to the Governments of the States where the nuclear explosions are to take place". In accordance with the suggestions set forth in Para. 2 hereof, it is further suggested that the proposed list of experts should be submitted instead to the IAEA.

Statement by the Swedish Representative (Myrdal) to the Eighteen Nation Disarmament Committee: Fissionable Materials Production Cutoff and Comprehensive Test Ban, May 23, 1969 [1]

2. At this last meeting of the Committee before the recess I am grateful to have the opportunity to summarize and underline once again the views of my delegation on the test ban issue, to try to answer some of the queries which have been raised by other delegations in regard to the contents of the working paper put forward by the Swedish delegation on 1 April [2] and contained in document ENDC/242 [3] and, finally, in my turn to pose one or two questions in the hope that they will be answered after the recess.

3. Before doing so I should like, however, to state that although the Swedish delegation has come to, as it were, "specialize" on the test ban, we also attach great importance to the cut-off of production of fissionable materials for weapons purposes. We have long considered the test ban, the cut-off and the non-proliferation Treaty [4] as parts of one and the same parcel, as they would assure qualitative and quantitative freezes on nuclear weapons development. The intervention on the cut-off made in the Committee by the representative of the United States, Ambassador Fisher, on 8 April was of great interest.[5] Particularly gratifying, of course, was his suggestion that the verification of a cut-off agreement should be handled in the same manner as is prescribed in the non-proliferation Treaty, namely through reliance entirely on the safeguards system of the International Atomic Energy Agency (IAEA). This would mean in practice—as was also pointed out by Mr. Fisher—that a system of safeguards would come into effect which would be equal for all States signatories to the two treaties—the cut-off treaty and the non-proliferation Treaty—and

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[4] *Ibid.*, pp. 799–800.
[1] ENDC/PV.415, pp. 4–18.
[2] *Ante*, pp. 140–142.
[3] *Ibid.*
[4] For the nonproliferation treaty, see *Documents on Disarmament, 1968*, pp. 461–465.
[5] *Ante*, pp. 159–161.

which would cover the production of fissionable materials of all those countries.

4. In an intervention on 10 April, the representative of the Soviet Union commented on the cut-off in a rather negative way. Ambassador Roshchin said:

> . . . this proposal would not lead to the reduction of existing arsenals of nuclear weapons and would not diminish the possibility of the further production of such weapons.

He added that

> it would not solve the problem of eliminating or reducing the threat of a nuclear war, even if all nuclear Powers agreed to carry out this measure.[6]

5. That argumentation against a cut-off agreement does not seem very convincing to my delegation. As has already been pointed out in this Committee, all the measures in the nuclear weapons field discussed so far are concerned with "freezing" the existing situation in order to stop the nuclear arms race. When such a freeze or de-escalation has been achieved, the next steps can be taken on firm ground, steps towards measures of real disarmament, towards cutting down and eventually eliminating existing stocks of nuclear weapons.

6. The time now seems over-ripe for the thorough preparation of agreements both on a cut-off and on a test ban, as those two measures are so closely connected with the first attempt to begin reducing nuclear weapons installations—that is, with the planned strategic arms limitation talks. Yes, those two treaties which we in the Eighteen-Nation Committee could and should now elaborate would serve as supporting pillars to a strategic arms limitation agreement. As a matter of sheer logic, if strategic arms are to be cut down, the need for producing material for nuclear weapons and for testing new ones will obviously be reduced.

7. I wish to propose, therefore, that the Committee, as soon as we resume work after the recess, should take a new look at the cut-off. As has been done on the test-ban issue, some delegation in our midst ought to present a working paper containing suitable language for a treaty text. Only in such a way, I think, can our further discussion become really concrete and, we hope, conclusive.

8. The United States delegation has coupled its declared willingness to enter such a treaty with an offer to make available for peaceful purposes considerable quantities of fissionable materials. I presume that those materials would be put at the disposal of other States also, and particularly the less-developed ones. This generous gesture gives added weight to the proposed cut-off and to its urgency.

9. May I be allowed to point to the challenging feature running through several of the disarmament measures on our present agenda,[7] namely, that they foster new hopes for a more international sharing of technological benefits. As with the resources of the sea-bed, so it is with those to be released by peaceful nuclear explosions and that atomic energy which is now embedded in non-profitable nuclear

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[6] *Ante*, pp. 171–172.
[7] *Documents on Disarmament, 1968*, pp. 583–584.

weapons. Particularly for the sake of the underdeveloped countries, these hopes must not prove to be illusions.

10. Let me now turn to the test-ban issue. Practically all other delegations have by now made comments on our working paper. We are grateful for the support which has been lent both to our initiative in submitting this paper and to most of its contents. It is my intention today to try to answer some of the questions and comment on some of the ideas raised by other delegations.

11. It has been customary to treat the test ban issue as divided between a scientific or technical aspect and a political aspect. But we have found that this terminology lacks precision, a fact which may be the cause of some misunderstanding. It is more accurate to state that each of those terms refers to two different situations. It is therefore more helpful to separate what are called the technical aspects in the following way: first—those of method—what kind of bases it would be scientifically possible to utilize, and second, which of these capabilities have practical applicability within the institutional system existing today. Also, the political decisions will be addressed, on the one hand, to the steps for the practical arrangements—installations, data exchange, and so on—which are needed for improved application of the technically available methods; and, on the other hand, to the overriding political decision to sign or not to sign a treaty, necessarily coupled with national decisions to stop or not to stop testing. While it is the task of scientists to continue to study control methods, and to select those which best meet the requirements of governments, it must be for the governments to state clearly what degree of precision is needed, what deterrence level would be considered satisfactory, and so on. It is also a scientific or rather a technical job to blueprint the installations required to apply the verification methods in practice, but it is certainly the task of governments to decide on such practical arrangements.

12. I shall try to employ that kind of distinction to make some points clearer than in our intervention on 1 April; that is, technically possible methods to be kept separate from methods which are practical at present, and political decisions relating on the one hand to the extension of practical capabilities and on the other to the major issue of agreeing on a disarmament measure.

13. The first representative to make detailed comments on our working paper and on my intervention of 1 April was the representative of the United States, Ambassador Fisher. Mr. Fisher said that:

> **The United States cannot accept the statement advanced in support of the recent Swedish working paper that there will be less than one ambiguous event, or 'false alarm,' in the Soviet Union every ten years.**

Mr. Fisher went on to say that it was the assessment of his delegation that

> **there will be a large number of events each year which cannot be distinguished between earthquakes and underground nuclear explosions.**[8]

14. If we refer to the situation of today, Mr. Fisher is certainly right. Everybody knows that there is a considerable number of nuclear

[8] *Ante*, pp. 162–163.

events in the so-called magnitude gap, between 4.0 and 4.5, with explosions extending from one to some tens of kilotons—20 or 40 or 60, dependent on whether they occur in hard rock or softer environments. But the future possibilities are quite different. The Swedish delegation has made one attempt to circumscribe those future possibilities which could form a stable platform for a test ban.

15. In our interventions in 1967 and in the working paper of that year [9] we described how decision theory can be employed to design rather effective ways of using certain kinds of seismological observations for test ban control, both in the case—much discussed already at that time—of a treaty with obligatory on-site inspections and also in the case—not very much investigated at that time—of a treaty without obligatory inspections.

16. There would be two stages of control in both kinds of treaty. In the first stage decision theory principles, or perhaps some other principles, would be used to select from all observations violation-like events, and in the second stage treaty procedure would be employed to get clarification or to verify whether they really were violations or not. I shall assume that what Mr. Fisher called "ambiguous events" or "false alarms" are these selected events. In our terminology they are violation-like events and consist, as the case might be, of real violations and of earthquakes mistaken as explosions and thus being potential false alarms. Decision theory routinely arranges the selection process so that the percentage of violations separated for verification is high enough to provide a sufficient deterrence and at the same time so that the rate of false alarms is held down to an acceptable level. Details about such employment of decision theory are to be found in document ENDC/191 [9] and in a subsequent report from the Research Institute of National Defence in Stockholm, entitled "Seismological Test Ban Control", of February 1968.

17. Let us now examine the second stage—and to begin with, in the case of a treaty with obligatory inspections. There the verification procedure would consist of the performance of a certain number of on-site inspections, each with a certain practical effectiveness, less than perfect but good enough to provide the required deterrence—in our numerical calculations we chose to estimate effectiveness of inspections at 50 per cent. The potentially false alarms would then be cleared up through the inspections and an accusation of breach of treaty would be made only if conclusive evidence of a nuclear explosion was found or, more realistically, I think, if the performance of proper on-site inspection had been refused or obstructed.

18. In the case of a treaty without obligatory inspection, this described verification by obligatory inspection would, of course, not be available. In our intervention on 1 April and in document ENDC/242 we therefore proposed an alternative treaty procedure to handle this verification problem, namely the so-called verification by challenge. Our proposal was based on several notions. One of them was that "false alarms" can be made to be rare events if identification capabilities are developed as suggested by us. The effort which a suspected party would want to make to free itself on such rare occasions would

[9] *Documents on Disarmament, 1967*, pp. 305–309.

thus not constitute a very heavy burden on the treaty parties. Another of our notions was that the treaty procedure suggested by us would, on the basis of the improved identification capabilities I just mentioned, be efficient enough to maintain the required deterrent against violations. Both those notions have been challenged by the United States representative and I now want to try to "free" myself.

19. First, I turn to the point about the low rate of false alarms. Here it is necessary to keep the distinction I indicated between possible method and practical application. Our notion of the feasibility of fewer false alarms than one every ten years rests originally on our 1967 application of decision theory to the particular identification method described in 1964 by Brooker and Mitronovas, which is a method of identification over regional distances and based on data going rather far down into the magnitude gap. This was at that time a very encouraging methodological result from United States measuring stations in a regional network around United States explosions and earthquakes, that is, not relying on teleseismic observations. Whether something like that will be applicable also to other regions, including those of particular interest to the United States, will certainly depend on the practical arrangements provided in a treaty situation, and this is largely a matter for political decision. In my intervention on 1 April, I therefore stressed the importance of organizing data exchange and establishing automatic stations for the extraction of regional data. Both arrangements would be particular instances of practical applications of methods which are available in principle.

20. Of course, the whole situation would be eased if such low false alarm rates were to be attainable by teleseismic means. At present such monitoring of the numerous weak events, in the lower magnitude ranges, does not seem to be available. This is therefore a problem still unsolved, where improvements both of identification methods and of practical arrangements for measurements are necessary. Here the large teleseismic array stations, particularly when placed in different regions of the world, seem to offer the best possibilities for progress.

21. In passing, let me say that I am afraid that the representative of the United States in his intervention on 8 April [10] overestimated the coverage of identification capabilities by last year's report on seismic verification of the Seismic Study Group of the International Institute for Peace and Conflict Research of Sweden (SIPRI).[11] The SIPRI meeting actually did not take the capabilities of large arrays into account for the important conclusions. This remains to be done and we would value highly another experts' meeting doing so.

22. A very profound change in the identification capabilities, which was not dealt with in Mr. Fisher's critical intervention, would be brought about by the organized international exchange of seismological data which we have mentioned in article 11, paragraph 2 of our suggested treaty text.[12] I referred to this measure in my speech on 1 April as promising a considerable improvement in comparison with present control capabilities. At the same time I mentioned other improvements which could be derived from seismological stations of a

[10] *Ante*, pp. 162–164.
[11] *Documents on Disarmament, 1968*, pp. 455–458.
[12] *Ante*, pp. 140–142.

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classical type, properly located. They might be made automatic and sealed, and should be linked up with the international network of data exchange.

23. Several other representatives have taken up the matter of seismological data exchange in their recent statements. I feel that I have to pay a special tribute to the representative of Canada, Ambassador Ignatieff, for his very efficient promotion of immediate steps towards an effective data exchange, and now again in the working paper submitted today.[13]

24. Mr. Ignatieff pointed out, as other representatives have done, that the task of identification would be facilitated if guaranteed access to all original seismological data were to be provided. For the investigation of certain particular events, data from a few dozen up to perhaps a few hundred records would be important. The problem was therefore, he said, "to devise a system by which their availability could be guaranteed within an acceptable and practicable interval of time". He suggested, as a possible arrangement, governmental guarantees to supply tape records or microfilms, with supporting background technical information, upon the demand of any requesting government within an agreed time interval.[14] That is precisely what has been discussed as very desirable among experts from eight governments—among them Sweden and Canada—which for the last couple of years have been concerned with bringing about the so-called "detection club". Mr. Ignatieff has made several very interesting suggestions in regard to the organizational problems involved in setting up the international data exchange. We want to support warmly such an activation of international co-operation in the seismic detection and identification fields.

25. The representative of the United Kingdom, Mr. Mulley, was, of course, right in drawing our attention in his intervention on 17 April [15] to the fact that several international seismic data centres already exist, such as the ones in Edinburgh, Washington and Moscow. But they are not as yet functioning as needed in relation to a test ban.

26. Before him, on 10 April, the representative of Ethiopia, Mr. Zelleke, spoke of the need for further research in the seismological field and stressed the idea of a joint international effort to this effect.[16]

27. These suggestions were commented upon by the representative of Czechoslovakia, Mr. Lahoda, in his interesting intervention in the Committee on the test-ban issue on 29 April.[17] He felt, however, that the right time to consider them would be after reasonable progress had been achieved on the crux of the problem, namely, the question of the political willingness to stop testing. We beg to differ just on this point of timing. The structure of the test ban has to be established now and the technical services needed, not least the data exchange, have to begin to be organized now.

28. International co-operation for providing a data flow, however, obviously does not have technical aspects alone. Governments must be

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[13] *Infra.*
[14] ENDC/PV.404, pp. 26–31.
[15] *Ibid.*, p. 7.
[16] ENDC/PV.402, p. 28.
[17] ENDC/PV.407, p. 6.

willing to decide to participate. In this connexion, I wish to add our appreciation to that already expressed by others, of the recent statements by the representatives of two of the nuclear-weapon Powers, the Soviet Union, indicating its willingness to take part in an organized exchange of national seismological data as part of a comprehensive test ban [18] and the United Kingdom stressing its readiness to take an active part in establishing such a system.[19] United States representatives have on earlier occasions expressed the same willingness, but it would be of great value if this standpoint could be reiterated at this stage of our negotiations. I shall return somewhat later to the question of how soon specific work for this purpose might be initiated.

29. In view of the many constructive suggestions made in regard to international co-operation in the exchange of seismic data, I venture strongly to recommend that in our report to the General Assembly of the United Nations this matter should be more than briefly mentioned. It marks considerable progress towards laying the foundation for a comprehensive test ban treaty, and ought to be made visible to all United Nations delegations.

30. I shall now try to answer some of the queries which have been raised in connexion with the treaty draft contained in the Swedish working paper. The general measure of support that our ideas have obtained so far is quite encouraging.

31. Representatives have dealt mainly with one or two crucial provisions of our text rendered in articles I and II and I shall do the same today.

32. Article I, paragraph 1, contains the prohibition against all underground nuclear weapon test explosions. Paragraph 2 ensures the prohibition against collaboration with any third party for the carrying out of such explosions. The contents of both those provisions are identical with corresponding provisions of the partial test-ban Treaty.[20] No objection has been raised in the Committee against them. On the contrary, this complete prohibition of underground nuclear tests has been greeted with appreciation by some representatives, for instance, by the representative of Czechoslovakia on 29 April.[21] It is, of course, the very core of a comprehensive test ban. But if we are to satisfy the newly awakened demand for using nuclear explosions for peaceful purposes, an exemption from the general prohibitory rule must be made for them. Paragraph 3 of article I provides for that exception, namely, if such explosions are made to take place "in conformity with an international agreement to be negotiated separately".

33. In this connexion I wish to quote the representative of Brazil, Ambassador Frazão, who said on 8 May:

> We consider that the working paper presented by the Swedish delegation deals with the question of peaceful nuclear explosions in a logical and well-balanced manner: it sets forth the general and universal rule of the prohibition that is applicable to all countries, whether nuclear or nonnuclear, without any loopholes, and leaves the question of the regulation of nuclear explosions for peaceful purposes—which must be negotiated separately in another context—to be the subject of a special international agreement.[22]

[18] *Ante*, pp. 170–171.
[19] ENDC/PV. 396, p. 11.
[20] *Documents on Disarmament, 1963*, pp. 291–293.
[21] ENDC/PV. 407, p. 5.
[22] ENDC/PV. 409, p. 6.

34. The representative of the United Arab Republic, Ambassador Khallaf, in his intervention on 15 April reminded us of the obvious link between the provision in our suggested article I, paragraph 3 and the one in article V of the non-proliferation Treaty, also dealing with the subject of peaceful nuclear explosions. He said in that connexion: "We believe that it is self-evident that this important subject should receive identical treatment in both these treaties".[23] My answer is that there should not be, and there is not, any contradiction between the two provisions.

35. Mr. Mulley, in his speech on 17 April, touched on the same question when he asked if the international agreement mentioned in paragraph 3 of our article I was envisaged as being the same as that referred to in article V of the non-proliferation Treaty.[24] Again, my answer is positive: it is intended to be one and the same "special international agreement", as it is to legislate the international regulations relating to the same nuclear explosions for peaceful purposes. But let me be quite clear: the special agreement will have to be negotiated quite soon. If only the non-proliferation Treaty is then in existence, the coverage of the provisions about control might not be total, that is, explosions in the territories of nuclear-weapon Powers would not then need to be covered. On this point one would, of course, have to study more closely the suggestions made yesterday by the representative of Italy.[25]

36. But a further step will be indicated in the context of the comprehensive test ban, when not only explosions performed in non-nuclear-weapon States should be regulated so as not to permit them to acquire nuclear weapons, but all nuclear-weapon tests—that is, specifically underground explosions within all signatory countries and performed by any signatory State must be encompassed by the prohibition. The "special international agreement" which I have so far discussed will have to be formulated in such a way that it can take care of an extension of its coverage to nuclear-weapon States also. The technical problem in connexion with control of peaceful nuclear explosions will then be: how can it be ascertained that they are not exploited for military purposes? The handling of the explosive devices as such and also the preparations and installations, particularly those for making diagnostic measurements of the devices, must be submitted to international observation.

37. I must revert, however, to one remark made by Mr. Mulley. I know that several delegations are preoccupied with the same concern. It refers to the very last sentence in article V of the non-proliferation Treaty. Mr. Mulley pointed out what he called "a significant difference of language as the non-proliferation Treaty permits bilateral agreements in addition to 'special international agreement or agreements' ".[26]

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[23] Ambassador Khallaf's remarks appear in ENDC/PV. 403, p. 10.
[24] ENDC/PV. 404, p. 6.
[25] ENDC/PV. 414, pp. 12 ff.
[26] *Loc. cit.*

38. Our interpretation is quite simple: the "special international agreement" is to provide the overriding regulations on how to handle peaceful nuclear explosions as such—on foreign territories, as long as we have only the non-proliferation Treaty. Recourse will always be had, on the other hand, to bilateral agreements to settle the conditions for a special project, the modalities, not least the financial conditions, and so on, between a particular nuclear-weapon Power and a particular beneficiary government, altogether free now but only if "pursuant to" the general international rules when they have been settled in the international agreement.

39. I am sorry if this excursion into the field of peaceful nuclear explosions has been a bit time-consuming, but I know that it is a cause of great concern, not to say of some worry, to a number of countries, particularly those underprivileged, so far, economically in a world full of riches.

40. I now have to turn to article II in our suggested text, dealing with control. When introducing this text in the Committee on 1 April, I said that we did not wish to take a rigid attitude in this matter. Our text was intended as a compromise between the until-now widely different standpoints of the two main Powers, and intended to entice them into coming forward with more precise alternatives than hitherto. The procedure for verification proposed in our text has to be seen and judged as a whole. It is not rewarding to lift out parts of it and say, "Look, this text contains hardly any binding obligations on a suspected party". We, and many others, hold that it does. Paragraph 1, containing a solemn undertaking by all parties to co-operate in good faith to clarify events, is definitely a binding obligation. Paragraph 2, containing an undertaking by all parties to collaborate in an effective international exchange of seismological data, is a binding obligation. To take on that obligation as binding will be in the interests of all parties, considering the mass of valuable information they will obtain in return.

41. On paragraph 3 of article II, dealing with what we have called "verification by challenge", the representative of Czechoslovakia, Mr. Lahoda, in his intervention on 29 April asked for:

> a more detailed explanation of the interrelationship between the provisions of paragraph 3(b) and 3(c) of article II and their relationship to paragraph 4 of that article.[27]

42. Over the years I have several times tried to present this Committee with as succinct a description as possible of the procedure for verification which has been generally referred to as "verification by challenge". I shall try once again, referring now to the wording in the provisions mentioned by Mr. Lahoda.

43. We consider it of primary importance that a treaty banning underground nuclear tests should contain provisions by which a party wrongly suspected of having violated the treaty can speedily free itself of suspicion. We hold that this is the main concern in this matter. We have organized such provisions in a three-step series of ascending severity. Under article II, paragraph 3(a), a party is supposed to give explanations. In paragraph 3(b) it is provided that the party might

[27] ENDC/PV. 407, p. 5.

make use of the possibility to invite the suspecting party and/or any other State or some international organ or committee to an inspection of the suspected violation, that inspection to be carried out in a manner which the inviting State itself should prescribe. It may be said, of course, that this is a right which any party to the treaty would have anyway and that it is superfluous to spell out the right in the treaty. We think it is valuable, however: it indicates a speedy and easy way for parties to free themselves of suspicion—and this is of practical value not least to smaller States.

44. To reply to Mr. Lahoda, there is to my mind no intrinsic connexion between the provision offering that possibility in paragraph 3(b) and the following one in paragraph 3(c), under which the parties are entitled to make additional proposals as to suitable methods of clarification. Paragraph 3(c) is, one might say, a residual category for use of any method of clarification. A demand for an *ad hoc* inspection in the territory of a suspected party is thus not excluded. I can quite see, however, that this is precisely the focal point of controversy between those who insist on and those who oppose obligatory inspections.

45. Now, as to paragraph 4 of article II, if the various measures indicated in the earlier provisions of that article have failed to clarify a suspicious event to the full satisfaction of a suspecting party, paragraph 4 establishes the right for that party to bring the matter to the attention of the United Nations Security Council and the other parties to the treaty. That formula has been used in other treaties. It is here intended to provide an opportunity for further airing of contested statements about facts. This does not mean, however, that all the measures enumerated in the previous parts of the article, such as the inspection-by-invitation procedure mentioned in paragraph 3(b), need to have been involved. The reporting to the Security Council entails no sanction: the provision is largely of political value. The possibility of a debate in the Security Council may be considered as a kind of safety-valve for a suspected party to state its case and, of course, generally, to give added weight to deterrence.

46. I have also to deal with one fairly general complaint mentioned by several speakers, namely that the whole machinery we have envisaged is too weak.

47. In his speech on 15 May the representative of Nigeria, Ambassador Sule Kolo, made the plea for what he called "a fool-proof system of verification".[28] At the same time he presented a working paper on the subject [29] in which he recommended that the idea raised last year by the United Kingdom delegation for a committee to undertake on-site inspections in suspicious cases should be seriously studied again.[30] The Nigerian delegation recommends in its paper that such a committee should be composed exclusively of non-aligned countries responding to certain criteria.

48. On condition that it was generally acceptable, we would be happy to go along with that idea. However, that is probably not the case. Already in 1962 the non-aligned members of the Eighteen-Nation Committee on Disarmament launched the idea of a special com-

[28] ENDC/PV. 411, p. 6.
[29] *Ante*, pp. 210–211.
[30] ENDC/232, Aug. 20, 1968

mission to determine and carry out on-site inspections.[31] For about two years much work in the Eighteen-Nation Committee on Disarmament was devoted to considering such an international commission, but in the final instance it was not accepted.

49. A much more fundamental issue, raised both by Mr. Fisher and Mr. Sule Kolo, is that of verification with or without inspection. Certainly, there cannot be a difference as great as between 100 per cent for one method of deterrence and zero for another. When Ambassador Sule Kolo asked for "fool-proof" verification he knew, of course, that that was a kind of literary exaggeration: nothing like 100 per cent certainty can be foreseen in this world. But even so, we need to know more about how effective on-site inspections are. After all, they depend on achieving precision with regard to epicentre location and quite a set of favourable modalities. The literature on inspections is full of queries and doubts. In our statistical analysis we estimated 50 per cent probability of success. This is a very important question which I address to all proponents of on-site inspections: exactly how efficient are they? Further, what exactly would be the required deterrence level of a treaty with obligatory inspection? In our estimates of capabilities attainable in the future we used the deterrence level of 10 per cent disclosure risk.

50. One of Mr. Fisher's critical remarks in his statement on 8 April was as follows:

> And what if one finds the explanation of the event unsatisfactory? The violator has, according to the Swedish proposal, no further obligation. Those who consider their security endangered may, of course, withdraw from the treaty, but the onus will be on them, not on the violator. That would give the agreement an inherent instability. In fact, any nation that wanted to resume testing openly could just conceivably use such a scheme to force others to abrogate the treaty, rather than do so themselves.[32]

51. Clearly, any party not willing to continue with the treaty would have the option of getting out of the treaty through the back door, so to speak, by obstructing the verification process, perhaps even with the onus distribution foreseen by Mr. Fisher. But I think that a treaty with obligatory inspections also offers the same option of backdoor exit, just by obstructing the obligatory on-site inspection procedure. With the obligatory inspection arrangements the occasions for such exits would be even much more frequent than in the arrangement proposed by us. That kind of instability thus exists in both kinds of treaty. I think, however, that any important treaty entered into by mutual agreement would be stabilized in its existence by the mutual interests of the parties, and if those mutual interests were to disappear no treaty would hold.

52. In his important intervention on 8 April, Mr. Fisher also said that one has to test our treaty proposal not only in regard to what is going to happen if false alarms are struck but also in regard to what happens if a violation occurs. Of course, that is so and here I should like again to remark that in our verification-by-challenge process a violator would in reality most probably obstruct co-operation in verification. But that is no different from the case with verification by

[31] *Documents on Disarmament, 1962*, vol. I, pp. 334–336.
[32] *Ante*, p. 164.

obligatory on-site inspection. A violator would certainly not permit any such on-site inspection of a violation; he would again simply obstruct the on-site inspection procedure. Or he would disengage himself from the treaty before any verification process was attempted.

53. I hope that in this way I have also given arguments against that part of Mr. Fisher's statement on 8 April where he said: "Obligatory on-site inspections would, we believe, add a sufficiently binding constraint." [32]

54. I want to add that we were very gratified yesterday when the representative of the United States in his sea-bed treaty proposal [33] suggested a verification procedure rather similar to our challenge procedure for the underground test ban.[34]

55. Let me finally deal with a very important point made by Mr. Mulley. He reminded us of his proposal from last year allowing for a phasing-out of nuclear-weapon testing by starting with an agreed annual quota of underground test explosions, leading to zero over a small number of years.[35] The representative of Ethiopia, Mr. Zelleke, in his speech on 10 April suggested that this idea find a place in the Swedish treaty text.[36] Our delegation is not at all negative to Mr. Mulley's proposal, if it is acceptable to others, but we do not believe it should be embodied in a major treaty, intended to stand from here to eternity. An agreement about intermediate provisions should rather find its place in some annex or protocol. The adoption of the idea as such would seem to us valuable on condition that the time be used as a warming-up period for the international data exchange and other arrangements for improving verification capabilities. This would give us a cue to the timing problem: prepare the whole structure of the test ban this summer; report to the United Nations on progress made; sign the treaty and/or the transitory regulations when the strategic arms limitation talks are under way; and then start immediately to build up the verification capabilities.

56. The representative of Mexico, Ambassador García Robles, on 10 April made some concrete suggestions as to our method of work which would fit in with such a schedule. He said that available drafts, such as the one contained in our working paper should be considered by the Committee.

> . . . in a methodical and orderly manner, paragraph by paragraph if necessary. Thus we would in due course be able to transmit to the General Assembly documents which either had received the unanimous approval of the Committee or contained at least a considerable part on which there had been a consensus in the Committee, although there might still exist some differences of opinion on some of the provisions, perhaps even fundamental differences. As regards these last, that is the provisions on which differences of opinion still exist, one could include in parallel columns alternative texts already drafted in the form of articles, or paragraphs of articles, for insertion in the treaty which is being elaborated . . .
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> In short, we believe that after seven years of general discussion, the time has come to proceed, in regard to various items on our agenda, to the consideration of what in the General Assembly are draft resolutions and in our case should be draft treaties.[37]

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[33] *Ante*, p. 164.
[34] *Ante*, pp. 213–218.
[35] ENDC/PV. 404, p. 8; ENDC/232.
[36] ENDC/PV. 402, p. 28.
[37] *Ibid.*, pp. 12–13.

57. I have quoted from Ambassador García Robles' statement at some length because I think it is important and because it so well reflects the views of my delegation on the proper working methods of the Committee, not only on the test ban issue but also on several other disarmament measures ahead of us.

58. Finally, I should like to turn to the representatives of the main nuclear-weapon Powers. Somewhat earlier, I indicated in passing that I would want to pose some major policy questions to them, considering that the controversy hinges on one specific point, related to article II, paragraph 3(b) and (c) and paragraph 4 of our paper. First, can we expect to get the position which relies on obligatory inspections spelled out in specific terms and with a scientific background so that a detailed comparison can be made without proposal as an alternative? Secondly, would the co-Chairmen accept the remainder of our draft as a basis for negotiation? The Eighteen-Nation Committee could then proceed with great speed to outline the structure of a comprehensive test ban and report accordingly to the United Nations.

59. I have today quoted from earlier interventions by many of my colleagues. I shall end this lengthy statement with one final quotation to support my basic conviction that a political decision on the comprehensive test ban must be arrived at with great urgency. The quotation I have in mind is intimately related to the test ban issue. It goes back almost six years. It has been taken from an address by the then President of the United States, John F. Kennedy, to the American people on 26 July 1963, after the conclusion of the negotiations in Moscow on the partial test-ban Treaty. This address is reproduced in full in document ENDC/102. President Kennedy wanted to calm those who might find a disarmament agreement risky. He said:

> . . . But it would be a mistake to assume that this Treaty will be quickly broken. The gains of illegal testing are obviously slight compared to their cost and the hazard of discovery, and the nations which have initialled and will sign this treaty prefer it, in my judgement, to unrestricted testing as a matter of their own self-interest, for these nations, too, and all nations, have a stake in limiting the arms race, in holding the spread of nuclear weapons, and in breathing air that is not radioactive. While it may be theoretically possible to demonstrate the risks inherent in any treaty, and such risks in this treaty are small, the far greater risks to our security are the risks of unrestricted testing, the risk of a nuclear arms race, the risk of new nuclear Powers, nuclear pollution, and nuclear war.[38]

Canadian Working Paper Submitted to the Eighteen Nation Disarmament Committee: Comprehensive Test Ban, May 23, 1969 [1]

Among many others, the Canadian Delegation believes that the problems of verifying a Comprehensive Test Ban would decrease even though they may not be entirely resolved, if guaranteed access to orig-

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[38] *Documents on Disarmament, 1963*, p. 256.

[1] ENDC/251, May 23, 1969.

inal seismological data could be assured within the framework of an organized and effective world-wide seismological data exchange. The Canadian Delegation also thinks that a practical method of achieving such an exchange would be through an increase and intensification of the international co-operation which already exists in this field.

2. To this end but before attempting to find an acceptable economic, technical means by which all parties would make seismological information freely available, two essential points need clarifying: what seismic information would governments make available and in what form? In this connexion the Canadian Delegation suggested at the 404th meeting of the ENDC on April 17 that countries be invited to send a list of the seismographic stations from which they would be ready to supply records on the basis of guaranteed availability of data in the framework of a world-wide exchange of seismic data and provide certain details concerning these stations. The suggested form of such a request from the ENDC is set out below. The Canadian Delegation is presenting this suggestion now in the hope that agreement to it can be speedily reached without prejudice to any other proposals under consideration by ENDC and the request sent out as soon as possible.

REQUEST FROM THE EIGHTEEN-NATION COMMITTEE ON DISARMAMENT TO THE GOVERNMENT OF . . . . . CONCERNING THE PROVISION OF CERTAIN INFORMATION IN THE CONTEXT OF THE CREATION OF A WORLD-WIDE EXCHANGE OF SEISMOLOGICAL DATA WHICH WOULD FACILITATE THE ACHIEVEMENT OF A COMPREHENSIVE TEST BAN

In order to assist in clarifying what resources would be available for the eventual establishment of an effective world-wide exchange of seismological information which would facilitate the achievement of a Comprehensive Test Ban, the Eighteen-Nation Committee on Disarmament requests the Government of . . . . . to supply to the Secretary-General of the United Nations for transmission to the ENDC a list of all its seismic stations from which it would be prepared to supply records on the basis of guaranteed availability, and to provide certain information about each station as set out below:

(a) Photographic recording seismograph stations

(i) Name of station
(ii) Co-ordinates of station
(iii) Instrumentation and components recorded. (This should include operational magnification at one second periods for short period and broadband seismographs and at 15 or 20 seconds for long period instruments.)

The Government of . . . . . is also requested to indicate whether full operational magnification curves in absolute units with fully annotated records would be provided, as only through provision of this information can the maximum usefulness of an international exchange of seismological data be guaranteed. It would also be useful to know the time window within which the Government of . . . . . would be prepared to supply original records or good

quality microfilm, and if the latter, whether the microfilm would be 16.35 of 70 millimetre film.

(b) Tape recording seismograph stations (including arrays)

(i) Name of station
(ii) Co-ordinates of station
(iii) A general account of the instrumentation geometry of the array
(iv) Components recorded on magnetic tape and magnetic tape specifications. (This would include the operational magnifications at one second for short period instrumentation and at 15 or 20 seconds for long period instruments)

As under (a) above, in the interests of obtaining maximum usefulness from an international exchange of data, the Government of . . . . . is requested to indicate whether it would provide full operational curves for band-pass and time code recorded on tape. It would also be useful if the Government of . . . . . could indicate how long the original tape can be made available before the tapes are erased and re-used.

In view of the urgency in making progress in the direction of a solution for a Comprehensive Test Ban the ENDC would greatly appreciate it if the information requested above could be forwarded to the Secretary-General of the United Nations with the least possible delay for transmission to the ENDC.

CO-CHAIRMAN OF THE ENDC

CO-CHAIRMAN OF THE ENDC

Statement by ACDA Deputy Director Fisher to the Eighteen Nation Disarmament Committee, May 23, 1969 [1]

65. Today we are concluding the formal work of the spring session of this Committee. I think that this session has once again proved the worth of this Committee to the international community and to world peace.

66. The views of my own Government, as the Committee may recall, were expressed by President Nixon in his letter of 15 March to Ambassador Smith when he said: "A major part of the work of peace is done by the Eighteen-Nation Disarmament Committee".[2]

67. In a moment I shall discuss the foundation which our work this session has laid for possible accomplishments in the session to be held this summer. But first I should like to take a longer view. And in this connexion I would refer to the interesting thoughts raised on the working paper presented by Deputy Foreign Minister Zagari on

[1] ENDC/PV.415, pp. 20–26.
[2] *Ante*, p 110.

21 April.[3] We believe that it would indeed be a healthy exercise for this Committee to take stock of itself, to consider how much we have accomplished so far towards reaching our long range goals. I am not suggesting that we should begin a new discussion of detailed treaty texts on general and complete disarmament. I do believe, however, that we might well give some fresh thought to where we stand with respect to our longer-range objectives. This would doubtless help us view the specific measures we have under consideration not as isolated measures, but as well-ordered steps to our ultimate goal. The Italian working paper raises this point when it asks the pertinent question: are we carrying out the purposes for which our Committee was formed? It also suggests an approach which might lead to an affirmative response to that question.

68. I should now like to turn to the specific measures which have been discussed at our spring session, now concluding.

69. The United States has listened with interest to the views expressed on the subject of chemical and bacteriological warfare. In particular, we have noted the proposals made by Mr. Mulley [4] and by the representative of Sweden [5] to make more binding, or even extend, the restrictions of the Geneva Protocol.[6] The United States supports the principles of the Geneva Protocol and has frequently noted its commitment to respect them. We expect that the Secretary-General's report on this subject will provide a basis for us to make further judgments on the feasibility and practicability of these proposals and those suggested by others. We would hope that a constructive discussion of this subject could be pursued during our next session after the report of the experts has been submitted.

70. On 18 March, at the opening meeting of this session, the United States reaffirmed its interest

> in working out an international agreement that would prohibit the emplacement or fixing of nuclear weapons or other weapons of mass destruction on the sea-bed.[7]

The United States recently submitted a draft treaty on this subject.[8] Since we spoke on the subject at some length at our meeting yesterday,[9] I do not propose to deal with it in any greater detail now, other than to point out that in the view of the United States it is a realistic approach to the sea-bed problem. I should also like to point out that we included in this proposal a review clause which recognizes that the science of "oceanology" is in its infancy and that our knowledge of this environment and our capability to function in it will increase.

71. As I have indicated, the United States proposal would deal with the most urgent issue, which we believe to be the danger of the emplacement of nuclear weapons on the sea-bed. It extends the area

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[3] *Ante*, pp. 189–191.
[4] ENDC/PV.404, pp. 10 ff.
[5] ENDC/PV.397, p. 26.
[6] *Post*, pp. 764–765.
[7] *Ante*, p. 109.
[8] *Ante*, pp. 211–213.
[9] *Ante*, pp. 213–218.

of prohibition to the maximum possible extent. With respect to verification it offers the advantage of using existing rights currently enjoyed by all States, combined with consultations to resolve difficulties arising from the exercise of these rights.

72. I note that today the representative of Sweden referred to this matter, gently but unmistakably, by asking: if this type of consultation is good enough for the sea-bed, why is it not good enough for something else? [10] That is a good question, but I think there is a ready answer—namely that the sea-bed, a regime open to all men under the regime of the freedom of the seas, is really quite different from the interior of a country where no such regime applies. In dealing with the sea-bed, we are really dealing with quite a fortunate situation. Existing international law guarantees the freedom of the seas to all and the right to observe what goes on there. This right, of course, does not exist on land. The possibility of significant events in violation of a treaty occurring on or under the sea and escaping detection by someone is small, while the possibility of significant events in violation of a treaty occurring deep within the boundaries of a country and escaping detection by those who can look with only indirect and less than certain means is undoubtedly not small.

73. I believe I indicated yesterday the view of the United States that if a country were to sign a sea-bed treaty and were to be tempted to violate it, it would probably not do so by means of one installation; rather it would probably do so on a rather massive scale—a scale that might affect the balance of power, so we have the problem of what sort of a risk one is concerned about. I submit that this does not apply to the case of a test ban—a treaty that is designed to remain in force for a long time. A country that had stopped testing entirely might well feel that a single test a year, or two a year, by a potential adversary could present a real threat to its security as the treaty continued in force. It would certainly present an area of instability. I think it is worth while noting, in this context, that in one of the very interesting studies made by the Swedish Government the evasion rate was hypothesized as one test a year, it being realized that that might be a cause of significant concern.

74. It is true that the United States verification procedure for the sea-bed does not provide for access to the installations, for the overwhelming physical reasons which I mentioned in introducing our proposal. However, as I pointed out yesterday, certain observable physical characteristics would furnish the necessary clues to the possible function of the installation and, as I stated earlier, a possible violation would probably involve a great deal of activity. In other words, in the environment of the sea-bed, once one has looked at an installation and has the right to consult, one does not really get much further by knocking on the door at a depth of, say, one thousand feet and demanding to be let in. I submit that quite the opposite is the case with the on-site inspection. I dealt with the problem of the modalities of an on-site inspection in a speech in April 1966.[11] I think that, while we have since then learned a good deal more on the subject, there is nothing we have

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[10] *Ante*, p. 230.
[11] *Documents on Disarmament, 1966*, pp. 190–199.

learned that would disprove anything that might be learned because of the presence of gases and a variety of other things, which would make an on-site inspection useful. For that reason I think that the two environments—underground within the territory of a State, and the sea-bed under an international regime—are quite different.

75. That brings us to the test ban. I should like to turn my attention to it, briefly, and to the proposals for a comprehensive test ban, in particular to the verification issue.

76. President Nixon in the letter which Ambassador Smith read to this Committee stated that:

> . . . the United States supports the conclusion of a comprehensive test ban adequately verified. In view of the fact that differences regarding verification have not permitted achievement of this key arms control measure, efforts must be made towards greater understanding of the verification issue.[12]

77. In my intervention of 8 April I emphasized that in our view adequate verification required obligatory on-site inspection in addition to seismic detection and identification techniques. I indicated our view that this position was based on a firm amalgam of political and scientific considerations.[13]

78. At this session considerable emphasis has been placed upon the relationship of seismic data exchange to a comprehensive test ban. I should like, therefore, to elaborate on our approach to this matter.

79. The United States believes that seismic data exchange would serve as a useful complement to an adequately verified test ban. However, if we are to form a judgment on the role of seismic data exchange in a test ban, then we must examine and judge seismic data exchange as it is today and as we can foresee it.

80. In her very interesting remarks this morning the representative of Sweden directed some observations towards the United States, and that was quite proper. I think it would probably be unwise—although we have been engaging in quite a free exchange, and I think it is good that we have done so—for me to attempt to reply *ad lib*, so to speak, to all of them. I think we shall accept in regard to many of them her invitation to supply information for the record at the forthcoming session. However, as we customarily say in this body, I do have some preliminary thoughts on some of her observations, in the context of the subject I am now discussing—that is, data exchange.

81. The Brooker and Mitronovas study,[14] relied upon to support the proposition that a comprehensive test ban could or might be verified without on-site inspection by seismic means alone and utilizing seismic data exchange, was based on an analysis influenced by the following factors: (a) the tests and earthquakes were in the United States; (b) the observation of the seismic events created by both of these events was made by advanced seismic stations in the United States, operated by United States employees; (c) the seismic stations were very close—I think within 1,500 kilometres—to the events observed; and (d) the events occurred in an area where the geological characteristics were quite well known—we have been living there for

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[12] *Ante*, p. 110.
[13] *Ante*, p. 162.
[14] *Bulletin of the Seismological Society of America*, vol. 54 (1964), pp. 961–971.

a hundred years or so and we know the geology of the area fairly well. In addition, while the Brooker and Mitronovas study did include some smaller-yield events, these were not factored out, so to speak, to take into account the magnitude gap which the SIPRI report has brought to our attention.[15]

82. The problem of the magnitude gap clearly is in all our minds if we are thinking of teleseismic means and, perhaps, to some degree of regional seismic data. But before even considering the assumptions as to the probability or ratio of detection serving as an adequate deterrent when that detection was only by seismic means and by the interesting but highly sophisticated game theory and, indeed, before considering the political stability of this type of highly technical information serving as a deterrent—before we even get to those questions—we shall have to have a very clear idea whether the quantity and quality of the data we would get from a seismic data exchange would be of a similar quality to data secured from United States stations on United States territory, run by United States employees and watching United States tests and United States earthquakes, all of which we know a good deal about for other reasons. Suffice it to say that as of now nothing that we have seen in the study gives us any reason to believe that seismic data exchange would eliminate, on scientific and technical considerations, the need for on-site inspections. We believe that ambiguous seismic events would still remain even with the seismic data exchange. However, the fact that the most hopeful study was based on regional seismic data means that, if we are to be serious in our work, we cannot accept the view which has been expressed here that seismic data exchange is only something to be examined and entered into after we have achieved a comprehensive test ban. It seems to me that the very fact that an interesting study put forward for the consideration of this Committee was based on regional seismic data of a high quality automatically raises a question which every one of us ought to be asking himself: Should we not, in considering these suggestions, know what seismic data we would get out of a seismic data exchange?

83. The representatives of Canada[16] and the United Kingdom[17] have addressed themselves to an analysis of the technical issues that are raised if seismic data exchange is to be effective. The representative of Canada proposed as a preliminary step that those countries which would be willing to participate in a seismic data exchange should submit a list of their seismic stations, together with appropriate technical information, in order to foster movement towards merging existing seismological networks into a world-wide data exchange system. Today an interesting statement has been made by the representative of Canada and we are fortunate to have in front of us a working paper dealing with the subject.[18] We shall certainly study this paper with the greatest interest and hope to be able to make appropriate comments on it during our next session.

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[15] *Documents on Disarmament, 1968*, pp. 455–458.
[16] ENDC/PV. 404, pp. 29–31.
[17] *Ibid.*, pp. 7 ff.
[18] *Supra.*

84. In response to the earlier Canadian proposal, I should indicate that the United States is quite prepared to make available to the Eighteen-Nation Committee on Disarmament a list of seismic stations in the United States from which we would be ready to supply records in a world-wide exchange of data. We would all agree, however, that there is still much to be learned in the field of detection and identification of seismic events.

85. As part of this learning process, on 25 March Ambassador Smith restated a seismic investigation proposal that had originally been put forward in the United Nations General Assembly by Mr. Foster.[19] Ambassador Smith stated that in the course of this year there were two possible nuclear experiments in the United States Atomic Energy Commission's "Plowshare" programme that could be used in implementing this seismic investigation proposal.

86. Today I should like to submit a working paper which elaborates on one of those experiments and on our plan for implementing the seismic exchange proposal.[20] This experiment, which goes under the code name of Project Rulison, will be conducted in the state of Colorado in the western United States. Originally scheduled for the latter part of this month or perhaps for June, the experiment has now for technical reasons been postponed until September.

87. The working paper describes the implementation of our seismic investigation proposal with respect to Project Rulison. All that data will be available to all interested States and organizations, which will be able to analyze the data. Each State can derive for itself the benefits of those analyses. The results of this experiment and, we hope, others in the future, can then be discussed in relevant scientific and technical forums. This analysis of that experiment should enable the seismic investigation proposal to facilitate further advancement in seismic technology and increasing international exchange of information in this field. Furthermore, we shall have here a concrete example of co-operation in seismic data exchange, which will undoubtedly serve as some measure of the possible usefulness of seismic data exchange to provide progress in this field.

88. I should now like to make a brief observation regarding the cut-off in the production of fissionable materials for weapons purposes, a measure strongly supported by the United States. We have been deeply gratified by the positive remarks concerning that measure which were made by many delegations in this Committee.

89. The United States suggestion for verifying a cut-off, as reviewed on 8 April,[21] involves applying the same standards to the nuclear-weapon States as have been agreed to be appropriate for the non-nuclear-weapon States in the non-proliferation Treaty.[22] It is therefore clear that objections as to the means of verification are no longer valid as a reason for objecting to the cut-off.

90. The United States has given priority to a cut-off agreement for many years because it is a realistic measure that would limit once

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[19] Ambassador Smith's statement appears *ante*, pp. 131–138. For Mr. Foster's proposal, see *Documents on Disarmament, 1968*, pp. 769–770.

[20] *Infra*.

[21] *Ante*, pp. 159–160.

[22] *Documents on Disarmament, 1968*, pp. 461–465.

and for all the amount of nuclear materials available for weapons purposes, and that means it would limit the number of nuclear weapons because nuclear material is obviously an essential ingredient. This would be of clear benefit to nuclear- and non-nuclear-weapon States alike from the standpoint of their security, not to mention the benefits it would bring economically and as a confidence-building measure.

91. In conclusion, I should like to say that, while the issues before us are complex, we have had a most useful session. I believe we have laid the groundwork for more concrete achievements during the summer session.

92. I should like to express the thanks of the United States delegation to the Special Representatives of the Secretary-General and the Deputy Special Representative of the Secretary-General for the valuable work they have done. I should also like to express our appreciation, and my personal appreciation, to the various officials, both seen and unseen, who are essential to the work of this Committee, particularly the interpreters who have carried out so well the difficult task of interpreting colloquial, ungrammatical and too-rapidly-spoken not-quite-English of this speaker into the other official languages of this Committee.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee, May 23, 1969 [1]

93. Today the Eighteen-Nation Committee on Disarmament comes to the end of this session. Various proposals relating to the solution of disarmament questions have been submitted to the Committee, and numerous considerations have been put forward regarding what the Eighteen-Nation Committee on Disarmament could do in the first place in order to make progress towards achieving agreement on those questions. The main attention of the Committee has been devoted to problems relating to prohibition of the military use of the sea-bed, prohibition of the use of nuclear weapons, the cessation of nuclear weapons tests, and chemical and bacteriological weapons.

94. The question most widely discussed at the present session of the Committee was that of prohibiting the military use of the sea-bed. The discussion that took place has enabled us to draw the following conclusions. First of all, it should be noted that all delegations actively participated in the discussion and emphasized the need to implement effective measures to prevent the spread of the arms race to the sea-bed and the ocean floor. The broad understanding which emerged in the Committee of the importance of banning the use of the sea-bed for military purposes is a positive factor, which makes it possible to hope that our Committee will be able to elaborate for the achievement of that aim a concrete solution that meets the interests of strengthening international security and co-operation. Of course, such a solution

[1] ENDC/PV. 415, pp. 27–34.

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can only be elaborated if all members of the Committee strive to seek constructive decisions.

95. We also note that the basis of the discussion that developed at this session was the draft treaty on prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof submitted by the Soviet delegation.[2] A number of delegations expressed their support of the main principles underlying the Soviet draft treaty. In particular, wide support was given to the idea that the scope of the prohibition should be as large as possible, that the geographical area to be covered by the treaty should be as wide as possible and that the principles for defining its limits should not be linked to the existing limits of national jurisdiction. We regard the support given by many delegations to the main provisions of the Soviet draft treaty as another positive factor which opens up real prospects of achieving agreement on this question.

96. At the same time we cannot but point out that during the discussion considerable differences emerged in regard to the scope of the ban, which is the most important aspect of the future treaty. The representatives of the Western Powers, primarily those of the United States and the United Kingdom, oppose a complete ban on military activities on the sea-bed while showing a readiness to agree to prohibit only the emplacement there of weapons of mass destruction.

97. That position was reflected in the draft treaty on this subject submitted yesterday by the United States delegation.[3] The Soviet delegation is studying that draft and obviously, at the appropriate time, will express its views on the provisions contained therein. But I should like in a preliminary way to draw attention to the fact that many delegations have already pointed out that it is insufficient to restrict ourselves to a ban on the emplacement on the sea-bed of only weapons of mass destruction.

98. In adducing arguments in favour of their position, the representatives of the Western Powers allege that their proposal is the only realistic measure which can be implemented in order to prevent an arms race on the sea-bed. They state that a partial ban would facilitate the solution of problems of verification and would meet to a greater extent the interests of the security of coastal States. The position from which such arguments derive is an attempt to draw a distinction between offensive and defensive weapons and on that basis to prove the necessity of continuing certain types of military activity on the sea-bed.

99. We cannot agree that the legitimation of certain military activities on the sea-bed would not result in the development of an arms race there, whatever may be the arguments on which that view is based. The conclusion of an agreement banning only certain types of military activity on the sea-bed and the ocean floor would result in a situation where other kinds of activities not covered by this ban would be legitimized, and that would mean that the sea-bed and the ocean floor would become a new sphere of rivalry between States. Should only weapons of mass destruction be prohibited on the sea-

[2] *Ante*, pp. 112–113.
[3] *Ante*, pp. 211–213.

bed and the ocean floor, as proposed by the delegation of the United States, there would still be the possibility of the development of a conventional arms race in that environment.

100. As to the attempts to draw a distinction between offensive and defensive weapons, that distinction is very relative because the so-called defensive weapons can be used for aggressive purposes.

101. In summing up the discussion at the present session of the Eighteen-Nation Committee of a ban on the military use of the sea-bed and the ocean floor, we should like to emphasize that in spite of the existing differences on certain aspects of this problem the aforementioned broad understanding of its importance is an encouraging factor which leads us to expect that during the forthcoming summer session of the Committee more persistent steps will be taken with a view to arriving at a constructive solution. If delegations show sufficient good-will in the search for mutually acceptable decisions, the Committee will be in a position to report to the twenty-fourth session of the United Nations General Assembly on the positive results of our work in that field.

102. We should like to emphasize once again that the conclusion of a treaty banning the use for military purposes of the sea-bed and the ocean floor would contribute to a relaxation of international tension, would exclude vast areas of the globe from the sphere of the arms race and would create additional preconditions for the peaceful utilization of the sea-bed.

103. During the session considerable attention was given to questions of nuclear disarmament. The Soviet delegation considers that among those questions the one most ripe for solution is the question of prohibiting the use of nuclear weapons. The implementation of that measure would outlaw nuclear weapons and would pave the way for further steps in the field of nuclear disarmament. The delegations of the socialist countries and those of a number of non-aligned States have expressed themselves at this session as being in favour of prohibiting the use of nuclear weapons.

104. Thus, the representative of Bulgaria, Ambassador Christov, stated:

> The Bulgarian Government has always warmly supported and continues to support the idea of concluding a convention to that end as quickly as possible. We consider that such a convention would have a vast repercussion on the international situation and would contribute to creating a favourable climate for all the discussions on disarmament.[4]

105. In dealing with the question of concluding a convention to prohibit the use of nuclear weapons, the representative of India, Ambassador Husain, said:

> India has always supported the idea of such a convention . . . We do feel that, like other declaratory prohibitions in the past, such a convention could have a considerable moral and psychological value, and its conclusion need not await other agreements on nuclear disarmament.[5]

106. At the same time it should be pointed out that the Western States oppose the prohibition of the use of nuclear weapons. In that

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[4] ENDC/PV.406, p. 13.
[5] ENDC/PV.404, p. 23.

connexion we should like to note that we have not yet received a reply from the delegations of the United States and the United Kingdom to the question whether their own proposals put forward in 1957 [6] and 1962 [7] still stand, proposals that nuclear weapons should not be used with aggressive intentions and that they should be used only for purposes of self-defence. Is this not an indication of the fact that the Western Powers are endeavouring to avoid a discussion of this question in our Committee?

107. Another problem of nuclear disarmament which was considered during the present session was that of the prohibition of underground nuclear weapon tests. The Soviet Union has for many years been advocating a comprehensive ban on all nuclear weapon tests. The Soviet Government has repeatedly declared its readiness to reach agreement on the prohibition of underground nuclear tests on the basis of the use of national means of detection and to conclude for that purpose a special international agreement.

108. The solution to the problem of outlawing all nuclear tests meets with the opposition of the Western Powers, which put forward the far-fetched pretext that international on-site inspections are necessary for control over the observance of an appropriate agreement. The demands for the carrying out of such inspections are shared neither by many members of our Committee nor by the scientists of a number of countries. That is also evidenced by the considerations put forward by the Swedish delegation at the present session on the question of banning underground nuclear tests. The Swedish delegation pointed out that the need to resort to inspection, by invitation, with a view to identifying an ambiguous seismic phenomenon may arise less than once in a decade.[8] Such a statement of the question shows very convincingly that the demand for international inspection to verify a ban on underground nuclear weapon tests does not rest on solid ground. We are firmly convinced that for control over the observance of the cessation of nuclear tests no international inspection in any form is required.

109. The Swedish delegation introduced a working document which sets out the basic principles of a comprehensive nuclear test ban treaty.[9] The Soviet delegation has already noted the positive aspects of the Swedish draft and indicated that the Soviet Union is prepared to exchange seismic information with other countries within the framework of the "detection club" proposed by Sweden.[10]

110. At the same time the Swedish working paper contains a number of provisions which cannot fail to give rise to objections. While recognizing the adequacy of seismic means of verifying an agreement on the total prohibition of nuclear weapon tests, at the same time it includes, in point of fact, the principle of the carrying out of interna-

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[6] *Documents on Disarmament, 1945–1959*, vol. II, p. 870.
[7] *Ibid., 1962*, vol. I, pp. 629–631.
[8] *Ante*, p. 145.
[9] *Ante*, pp. 140–142.
[10] For the Soviet statement, see *ante*, p. 170. The Swedish proposal appears in *Documents on Disarmament, 1965*, pp. 390–393.

tional on-site verification under the guise of inspection on invitation. There is no need for this provision since, as the Swedish delegation itself recognizes, national means of detection are adequate to reveal possible violations of a treaty on the complete prohibition of nuclear tests.

111. One cannot fail to note also that in the Swedish working paper the question of carrying out nuclear explosions for peaceful purposes is resolved in such a way that until a special agreement is concluded such explosions are excluded, whether undertaken for the nuclear countries themselves or on the basis of bilateral agreements—which is contrary to the non-proliferation Treaty.[11]

112. Unfortunately, we must observe that the negative position taken by the United States delegation in regard to any proposals for the prohibition of underground nuclear testing if they do not include a provision for compulsory on-site inspection hampers progress towards the solution of this problem. If the United States side continues to maintain this demand as an obligatory condition for the discontinuance of underground nuclear tests, all efforts by the members of the Committee to solve this problem will prove unavailing.

113. Among the problems raised during the present session the Soviet delegation regards the question of chemical and bacteriological weapons as important and urgent. Because of their capability to kill living organisms, chemical and biological weapons are amongst the most deadly means of mass destruction. The use of gases and poisonous substances compelled the nations to take measures to prevent their use in the future. As a result, the Geneva Protocol of 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases and of Bacteriological Methods of Warfare was elaborated.[12] This agreement has been of great importance in preventing the use of chemical and bacteriological means of warfare. It has obtained wide international recognition. At present almost sixty States are parties to the Protocol.

114. In recent times the attention given by world public opinion to the problem of bacteriological and chemical weapons has increased considerably. This was reflected in General Assembly resolution 2162B (XXI) which, having defined chemical and bacteriological weapons as weapons of mass destruction, confirmed that these weapons "constitute a danger to all mankind and are incompatible with the accepted norms of civilization". The General Assembly called for "strict observance by all States of the principles and objectives" of the Geneva Protocol of 1925 and condemned "all actions contrary to those objectives". The General Assembly invited all States to accede to the Protocol.[13] The Soviet Union bases itself on the premise that the Geneva Protocol is an important international document which has played and is still playing a vital role in the fight against the use of chemical and bacteriological weapons.

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[11] *Ibid., 1968*, pp. 461–465.
[12] *Post*, pp. 764–765.
[13] *Documents on Disarmament, 1966*, pp. 798–799.

115. Taking into account the threat presented by chemical and bacteriological weapons, the Soviet Government has suggested, as indicated in the memorandum of 1 July 1968 on some urgent measures for stopping the arms race and for disarmament,[14] that the Eighteen-Nation Committee on Disarmament should consider ways and means of securing the observance of the Geneva Protocol by all States.

116. The task of our Committee is to facilitate the accession to the Geneva Protocol of those States which so far have not acceded. This would contribute to solving the problem of excluding bacteriological and chemical weapons from the life of the community. The Soviet Union, basing itself on its position of principle on disarmament questions, advocates the complete prohibition of chemical and bacteriological weapons.

117. In this connexion we should like to call the attention of the Committee to the statement by which Soviet scientists recently appealed to the scientists of all continents and countries. In their message they called for a struggle against the manufacture and stockpiling of chemical and bacteriological weapons, and for the prohibition of their manufacture. They demanded the outlawing of these types of weapons.[15]

118. In reviewing the discussion that has taken place at this session on the question of chemical and bacteriological weapons, we are gratified to note that virtually all delegations were in favour of ensuring the adherence to the Geneva Protocol of 1925 of the largest possible number of States, and in favour of strengthening this Protocol. In this connexion we may refer to the statement made by the representative of Sweden, Mrs. Myrdal, who said on 25 March that: "The Eighteen-Nation Committee must outline how to strengthen the 1925 Geneva Protocol by securing wider adherence to it." [16]

119. A different approach to this problem is proposed by the United Kingdom delegation. The United Kingdom position, as set forth in working paper ENDC/231, is based on the assumption that the Geneva Protocol is not a fully satisfactory document, and for its "improvement" it is proposed to separate the question of biological weapons from that of chemical weapons and to deal in the first place with the problem of biological weapons.[17] As has been pointed out by many representatives, the separation of these questions would not lead to the strengthening but to the undermining of the Geneva Protocol and would not contribute to the solution of the tasks entrusted by the United Nations General Assembly to the Eighteen-Nation Committee.

120. A positive factor of the present session is that a number of delegations, including those of Mexico, Sweden, Ethiopia, India, Brazil and Romania, have advocated more specific negotiations than have taken place recently on general and complete disarmament. The Soviet delegation is of the opinion that the existing world situation urgently imposes the need for a business-like discussion of this problem. The Soviet side has put forward proposals both for an all-round

[14] *Ibid., 1968*, pp. 466–470.
[15] *Pravda*, May 16, 1969, p. 4; *Current Digest of the Soviet Press*, vol. 21, no. 20 (June 4, 1969), p. 14.
[16] ENDC/PV. 397, p. 26.
[17] *Documents on Disarmament, 1968*, pp. 569–571.

solution of the question of general and complete disarmament—I have in mind the relevant Soviet draft treaty [18]—and also for partial measures in the field of limiting the arms race and lessening international tension, as set forth in the Soviet memorandum of 1 July 1968.[19] The Soviet Government, in putting forward the task of accomplishing individual partial measures, was guided by the fact that these should in the last analysis lead to general and complete disarmament.

121. In this connexion we still regard as an important task of the Committee the making of progress in the search for agreement on such questions as the elimination of foreign military bases, the prohibition of bomber aircraft flights with nuclear weapons aboard beyond national borders, regional disarmament measures, and so on.

122. One of the most urgent tasks is to ensure the speedy entry into force of the non-proliferation Treaty. The Soviet delegation fully shares the endeavours of the members of the Eighteen-Nation Committee to impart to that Treaty a universal character and thus contribute to the strengthening of international peace and security. We deem it necessary to draw the attention of the members of the Committee to the fact that a few days ago the USSR Council of Ministers submitted the Treaty on the Non-Proliferation of Nuclear Weapons to the Presidium of the Supreme Soviet of the USSR for ratification.

123. While taking specific steps for the ratification of the non-proliferation Treaty we should also like to observe that we share the concern of a number of delegations at the fact that some States which are close to manufacturing their own nuclear weapons have not so far signed this Treaty.

124. In endeavouring to make progress in solving disarmament questions it is necessary to recall that there are active forces in the world which are interested in the arms race. The building-up of military arsenals in quantity and quality is going on and the activities of the aggressive military blocs are being intensified. The Government of the Soviet Union and the governments of the other socialist countries have repeatedly called attention to the danger inherent in a race in nuclear and other types of weapons and have put forward concrete proposals aimed at making mankind safe from the threat of a new war.

125. Now that we are interrupting for a brief period the meetings of the Eighteen-Nation Committee, we express the hope that this recess will be used by the States members of the Committee for the purpose of seeking constructive solutions which could be adopted by the Committee and reported to the next session of the United Nations General Assembly. The Soviet delegation will exert every effort to arrive as soon as possible at mutually acceptable solutions in regard to the questions that have been discussed in this Committee.

126. In conclusion the Soviet delegation would like to thank the Special Representative of the Secretary-General, Mr. Protitch, his Deputy, Mr. Epstein, and all the staff of the Secretariat, including the interpreters, for the highly skilled assistance which they have rendered to the Committee during the disarmament negotiations.

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[18] *Ibid., 1965*, pp. 77–102.
[19] *Ibid., 1968*, pp. 466–470.

United States Working Paper Submitted to the Eighteen Nation Disarmament Committee: Seismic Investigation Proposal, May 23, 1969 [1]

The United States is now prepared to take action in connexion with its proposal of December 5, 1968, to the First Committee of the 23rd United Nations General Assembly, that certain underground nuclear explosions serve collaterally for studies in connexion with worldwide seismic investigations.[2]

As indicated in the U.S. proposal, all states with appropriate seismic instrumentation will have the option to collect and evaluate seismic data resulting from such explosions, and the success of the proposal will depend in large degree on the extent to which they exercise their option. Presuming broad participation in the procedures foreseen by the United States, the experiments will have a threefold result; they will facilitate further analysis of seismological characteristics, both of the geological media and of the explosions themselves; they will provide a basis for systematizing worldwide use for seismic purposes of the information released on underground nuclear explosions; and they will facilitate worldwide evaluation and comparison, to the extent that the data are exchanged, of the seismic information gathered on such events.

The underground nuclear explosions contemplated by the U.S. for these experiments will not involve development or testing of nuclear weapons.

The purpose of this working paper is to elaborate on the first of these experiments and on how it would apply to the seismic investigation proposal. The experiment, denoted Project Rulison, will be conducted in the state of Colorado in the Western United States. Like a previous experiment (Project Gasbuggy)[3] conducted in December 1967, its purpose will be to investigate the use of a nuclear explosion to increase the recovery of natural gas. The explosion will have a yield of about 40 kilotons. It will take place in a low permeability gas-bearing formation, geologically referred to in this region as the Mesa Verde formation. The explosion is expected to create an underground chimney of broken rock about 370 feet high and 160 feet in diameter. The chimney thus created will act as a chamber where the gas will collect and then be drawn off through a well to be drilled from the ground down to the chimney. The energy released by the explosion is expected to crush and fracture the rock out of about 290 feet around the chimney, thereby greatly increasing the permeability of the reservoir and enabling the gas to flow more readily to the producing well.

With regard to the seismic investigation aspect of this experiment, the following data are pertinent:

1. The depth of the explosion will be 8443 feet.
2. The precise site of the explosion will be 39 degrees, 24 minutes, 21 seconds North Latitude and 107 degrees, 56 minutes, 53 seconds West Longtitude.

[1] ENDC/252, May 23, 1969.
[2] *Documents on Disarmament, 1968*, pp. 769–770.
[3] See *ibid.*, pp. 21–23.

3. The general geology in the vicinity of the depth for which the explosion is planned is basically shale, with some sandstone.

Approximately two weeks before the experiment, the United States Coast and Geodetic Survey will alert seismic stations worldwide by telegram. In addition to providing technical details, the messages will request the transmission of seismic data back to the United States Coast and Geodetic Survey for incorporation into an overall analysis. Similar messages will also be sent to the World Data Centres for Geophysical Data in Moscow and in Strasbourg, and to the International Seismological Centre in Edinburgh. Following the experiment the actual time of the explosion, the depth, the yield, and the preliminary estimate of the seismic magnitude will be furnished through the same channels.

Data from the explosion collected in the United States will be available to others from the World Data Centre at the U.S. Coast and Geodetic Survey in Washington, D.C. The United States Coast and Geodetic Survey will in turn assemble data collected from outside the United States, as well as inside, and will prepare a report which will include computations, using all the available seismic data, of the calculated location of the explosion, the origin time, the yield of the explosion, and the seismic magnitude. The report will also include an analysis of the data using seismic identification criteria for distinguishing between explosions and earthquakes.

Since the original seismic data will also be available from the U.S. and World Data Centres, other interested states and organizations will, of course, be able to subject it to their own analyses independent of the U.S. analysis. The results of this experiment, and of such others as may follow it, can then be discussed in relevant scientific and technical forums.

Because of the yield of this experiment and the geo-physical characteristics of the medium in which Project Rulison will be conducted, it may be that this event will be identified as an explosion through teleseismic means. It must of course be recognized that this experiment by itself cannot be expected to permit definitive conclusions regarding seismic detection and identification capabilities. On the other hand, judging from responses already received indicating interest in participation, there are reasonable grounds for expecting that the seismic investigation aspect of Project Rulison will achieve the specific and limited objectives intended for it and provide the threefold result outlined on page 1.

Address by President Nixon at the Air Force Academy, June 4, 1969 [1]

Before addressing the members of the graduating class, I would like to be permitted a personal word to the people of Colorado and to the people of this city. I want to thank you for the very warm and gracious welcome you gave to me and the members of our family.

[1] *Weekly Compilation of Presidential Documents*, June 9, 1969, pp. 797–802.

I will remember the conversations that I had with General Eisenhower in the months before he died. He often reminisced about the past and among his fondest memories were his visits to Colorado. These were some of the happiest days of his life.

Yesterday when we arrived in Colorado Springs, we stepped out of the aircraft, we breathed this wonderful fresh air, we looked off across to the mountains 50 miles away, and as we stood there we knew what he meant when he spoke of Colorado, its people, and also the climate—everything that all of you who live here know and love so much.

I should just like to give you one impression that shows you there is some continuity in history. Dwight David Eisenhower II, the grandson of General Eisenhower, and his namesake, as he saw this beautiful country and looked to the mountains off to the distance, said, "Gee, this is great country." I want you to know that I agree and I congratulate the Air Force for having the good judgment to locate the Air Force Academy here in Colorado Springs.

One other personal note: I had the opportunity before coming to this stadium to take a tour of some of the campus facilities and particularly the chapel. Now, there has been some controversy about that chapel. This is the first time that I have seen it. I am not an architectural expert, but I think it is magnificent, and I think you can be very proud of that chapel at the Air Force Academy.

Now, if I could address the members of the graduating class.

For each of you, and your parents, and your countrymen, this is a moment of quiet pride.

After years of study and training, you have earned the right to be saluted.

But you are beginning your careers at a difficult time in military life.

On a fighting front, you are asked to be ready to make unlimited sacrifice in a limited war.

On the home front, you are under attack from those who question the need for a strong national defense, and indeed see a danger in the power of the defenders.

You are entering the military service of your country when the Nation's potential adversaries abroad have never been stronger and when your critics at home have never been more numerous.

It is open season on the Armed Forces. Military programs are ridiculed as needless if not deliberate waste. The military profession is derided in some of the so-called best circles of America. Patriotism is considered by some to be a backward fetish of the uneducated and the unsophisticated. Nationalism is hailed and applauded as a panacea for the ills of every nation—except the United States of America.

This paradox of military power is a symptom of something far deeper that is stirring in our body politic. It goes beyond the dissent about the war in Vietnam. It goes behind the fear of the "military-industrial complex."

The underlying questions are really these:

What is America's role in the world? What are the responsibilities of a great nation toward protecting freedom beyond its shores? Can we

ever be left in peace if we do not actively assume the burden of keeping the peace?

When great questions are posed, fundamental differences of opinion come into focus. It serves no purpose to gloss over these differences, or to try to pretend that they are mere matters of degree.

Because there is one school of thought that holds that the road to understanding with the Soviet Union and Communist China lies through a downgrading of our own alliances and what amounts to a unilateral reduction of our arms—in order to demonstrate our "good faith."

They believe that we can be conciliatory and accommodating only if we do not have the strength to be otherwise. They believe America will be able to deal with the possibility of peace only when we are unable to cope with the threat of war.

Those who think that way have grown weary of the weight of free world leadership that fell upon us in the wake of World War II. They argue that we, the United States, are as much responsible for the tensions in the world as the adversaries we face.

They assert that the United States is blocking the road to peace by maintaining its military strength at home and its defenses abroad. If we would only reduce our forces, they contend, tensions would disappear and the chances for peace would brighten.

America's powerful military presence on the world scene, they believe, makes peace abroad improbable and peace at home impossible.

Now we should never underestimate the appeal of the isolationist school of thought. Their slogans are simplistic and powerful: "Charity begins at home. Let's first solve our problems at home and then we can deal with the problems of the world."

This simple formula touches a responsive chord with many an overburdened taxpayer. It would be easy, easy for the President of the United States to buy some popularity by going along with the new isolationists. But I submit to you that it would be disastrous for our Nation and the world.

I hold a totally different view of the world, and I come to a different conclusion about the direction America must take.

Imagine for a moment, if you will, what would happen to this world if America were to become a dropout in assuming the responsibility for defending peace and freedom in the world. As every world leader knows, and as even the most outspoken critics of America would admit, the rest of the world would live in terror.

Because if America were to turn its back on the world, there would be peace that would settle over this planet, but it would be the kind of peace that suffocated freedom in Czechoslovakia.

The danger to us has changed, but it has not vanished. We must revitalize our alliances, not abandon them.

We must rule out unilateral disarmament, because in the real world it wouldn't work. If we pursue arms control as an end in itself, we will not achieve our end. The adversaries in the world are not in conflict because they are armed. They are armed because they are in conflict,

and have not yet learned peaceful ways to resolve their conflicting national interests.

The aggressors of this world are not going to give the United States a period of grace in which to put our domestic house in order—just as the crises within our society cannot be put on a back burner until we resolve the problem of Vietnam.

The most successful solutions that we can possibly imagine for our domestic programs will be meaningless if we are not around to enjoy them. Nor can we conduct a successful peace policy abroad if our society is at war with itself at home.

There is no advancement for Americans at home in a retreat from the problems of the world. I say that America has a vital national interest in world stability, and no other nation can uphold that interest for us.

We stand at a crossroad in our history. We shall reaffirm our destiny for greatness or we shall choose instead to withdraw into ourselves. The choice will affect far more than our foreign policy; it will determine the quality of our lives.

A nation needs many qualities, but it needs faith and confidence above all. Skeptics do not build societies; the idealists are the builders. Only societies that believe in themselves can rise to their challenges. Let us not, then, pose a false choice between meeting our responsibilities abroad and meeting the needs of our people at home. We shall meet both or we shall meet neither.

That is why my disagreement with the skeptics and the isolationists is fundamental. They have lost the vision indispensable to great leadership. They observe the problems that confront us; they measure our resources and then they despair. When the first vessels set out from Europe for the New World these men would have weighed the risks and they would have stayed behind. When the colonists on the eastern seaboard started across the Appalachians to the unknown reaches of the Ohio Valley, these men would have counted the costs and they would have stayed behind.

Our current exploration of space makes the point vividly; here is testimony to man's vision and to man's courage. The journey of the astronauts is more than a technical achievement: it is a reaching-out of the human spirit. It lifts our sights; it demonstrates that magnificent conceptions can be made real.

They inspire us and at the same time they teach us true humility. What could bring home to us more the limitations of the human scale than the hauntingly beautiful picture of our earth seen from the moon?

When the first man stands on the moon next month every American will stand taller because of what he has done, and we should be proud of this magnificent achievement.

We will know then that every man achieves his own greatness by reaching out beyond himself, and so it is with nations. When a nation believes in itself—as Athenians did in their Golden Age, as Italians did in the Renaissance—that nation can perform miracles. Only when a nation means something to itself can it mean something to others.

That is why I believe a resurgence of American idealism can bring about a modern miracle—and that modern miracle is a world order of peace and justice.

I know that every member of this graduating class is, in that sense, an idealist.

However, I must warn you that in the years to come you may hear your commitment to the American responsibility in the world derided as a form of militarism. It is important that you recognize that straw-man issue for what it is: the outward sign of a desire by some to turn America inward and to have America turn away from greatness. I am not speaking about those responsible critics who reveal waste and inefficiency in our defense establishment, who demand clear answers on procurement policies, who want to make sure new weapons systems will truly add to our defense. On the contrary, you should be in the vanguard of that movement. Nor do I speak of those with sharp eyes and sharp pencils who are examining our post-Vietnam planning with other pressing national priorities in mind. I count myself as one of those.

But as your Commander in Chief, I want to relay to you as future officers of our Armed Forces some of my thoughts on these great issues of national moment.

I worked closely with President Eisenhower for 8 years. I know what he meant when he said " . . . we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex."

Many people conveniently forget that he followed that warning with another: "We must also be alert to the equal and opposite danger that public policy could itself become the captive of a scientific-technological elite."

We sometimes forget that in that same Farewell Address, President Eisenhower spoke of the need for national security. He said: "A vital element in keeping the peace is our military establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction." [2]

I say to you, my fellow Americans, let us never forget those wise words of one of America's greatest leaders.

The American defense establishment should never be a sacred cow, but on the other hand, the American military should never be anybody's scapegoat.

America's wealth is enormous, but it is not limitless. Every dollar available in the Federal Government has been taken from the American people in taxes. A responsible government has a duty to be prudent when it spends the people's money. There is no more justification for wasting money on unnecessary military hardware than there is for wasting it on unwarranted social programs.

There can be no question that we should not spend unnecessarily for defense. But we must also not confuse our priorities.

The question, I submit, in defense spending is a very simple one: "How much is necessary?" The President of the United States is the

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[2] *American Foreign Policy: Current Documents, 1961*, pp. 5–6.

man charged with making that judgment. After a complete review of our foreign and defense policies I have submitted requests to the Congress for military appropriations—some of these are admittedly controversial. These requests represent the minimum I believe essential for the United States to meet its current and long-range obligations to itself and to the free world. I have asked only for those programs and those expenditures that I believe are necessary to guarantee the security of this country and to honor our obligations. I will bear the responsibility for those judgments. I do not consider my recommendations infallible. But if I have made a mistake, I pray that it is on the side of too much and not too little. If we do too much it will cost us our money. If we do too little, it may cost us our lives.

Mistakes in military policy today can be irretrievable. Time lost in this age of science can never be regained. America had months in order to prepare and to catch up in order to wage World War I. We had months and even years in order to catch up so we could play a role in winning World War II. When a war can be decided in 20 minutes, the nation that is behind will have no time to catch up.

I say: Let America never fall behind in maintaining the defenses necessary for the strength of this Nation.

I have no choice in my decisions but to come down on the side of security, because history has dealt harshly with those nations who have taken the other course.

So, in that spirit, to the members of this graduating class, let me offer this credo for the defenders of our Nation:

I believe that we must balance our need for survival as a Nation with our need for survival as a people. Americans, soldiers and civilians, must remember that defense is not an end in itself—it is a way of holding fast to the deepest values known to civilized man.

I believe that our defense establishment will remain the servant of our national policy of bringing about peace in the world and that those in any way connected with the military must scrupulously avoid even the appearance of becoming the master of that policy.

I believe that every man in uniform is a citizen first and a serviceman second, and that we must resist any attempt to isolate or separate the defenders from the defended. So you can see that in this regard, those who agitate for the removal of the ROTC from college campuses contribute to an unwanted militarism.

I believe that the basis for decisions on defense spending must be "What do we do, what do we need for our security?" and not "What will this mean for business and employment?" The Defense Department must never be considered as a modern WPA. There are far better ways for government to help insure a sound prosperity and high employment.

I feel that moderation has a moral significance only in those who have another choice. The weak can only plead. Magnanimity and restraint gain moral meaning coming from the strong.

I believe that defense decisions must be made on the hard realities of the offensive capabilities of our potential adversaries, and not on the fervent hopes about their intentions. With Thomas Jefferson, we

can prefer "the flatteries of hope" to the gloom of despair, but we cannot survive in the real world if we plan our defense in a dream world.

I believe we must take risks for peace—but calculated risks, not foolish risks. We shall not trade our defenses for a disarming smile or charming words. We are prepared for new initiatives in the control of arms in the context of other specific moves to reduce tensions around the world.

I believe that America is not going to become a Garrison State, or a Welfare State, or a Police State—simply because the American people will defend our values from those forces, external or internal, that would challenge or erode them.

And I believe this above all: that this Nation shall continue to be a source of world leadership, a source of freedom's strength, in creating a just world order that will bring an end to war.

Members of the graduating class and your colleagues in the Academy, a President shares a special bond with the men and women in the Nation's Armed Forces. He feels that bond strongly at moments like these, facing all of you who have pledged your lives, your fortunes, and your sacred honor to the service of your country. He feels that bond most strongly when he presents the Medal of Honor to an 8-year-old boy who will never see his father again. Because of that bond, let me say this to you:

In the past generation, since 1941, this Nation has paid for 14 years of peace with 14 years of war. The American war dead of this generation has been far greater than all of the preceding generations in America's history. In terms of human suffering, this has been the costliest generation in the two centuries of our history.

Perhaps this is why my generation is so determined to pass on a different legacy. We want to redeem that sacrifice. We want to be remembered, not as the generation that suffered in war, but as the generation that was tempered in its fire for a great purpose: to make the kind of peace that the next generation will be able to keep.

This is a challenge worthy of the idealism which I know motivates every man who will receive his diploma today.

I am proud to have served in the Armed Forces of this Nation in a war which ended before the members of this class were born.

It is my deepest hope and my belief that each of you will be able to look back on your military career with pride, not because of the wars in which you have fought, but because of the peace and freedom which your service will make possible for America and the world.

ACDA Statement on Plutonium Safeguards Test, June 11, 1969 [1]

The U.S. Arms Control and Disarmament Agency and the U.S. Atomic Energy Commission are cooperating in a test of a new technique to help detect the diversion of power reactor by-product plu-

[1] ACDA press release.

tonium, to non-peaceful uses. This method, known as MIST (an acronym for Minor Isotope Safeguard Techniques), has been developed by the Science and Technology Bureau of the U.S. Arms Control and Disarmament Agency for application to the plutonium safeguards problem. The importance of achieving a solution to this problem is emphasized by estimates indicating that by 1980, 50 to 100 thousand kilograms per year of plutonium will be produced from the worldwide operation of commercial power reactors, some of which might be vulnerable to diversion into non-peaceful uses. If MIST is successful, it will provide a less intrusive and perhaps more accurate way to inventory plutonium from production in a reactor to shipment from the reprocessing facility.

The test is being conducted at the Nuclear Fuel Services, Inc., West Valley, New York, chemical reprocessing plant during the reprocessing of irradiated fuel from Yankee Reactor cores V and VI. Safeguards inspection of this fuel is being conducted by the International Atomic Energy Agency (IAEA) which is also supporting a study related to MIST. Data from this related study will be made available to ACDA and the AEC for inclusion with test results of the MIST experiment.

News Conference Remarks by President Nixon [Extracts], June 19, 1969 [1]

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Arms Talks With the Soviet Union

Q. When and where do you expect to begin arms talks with the Soviet Union, and do you favor suspension of the testing of multiple warheads in the meantime?

The President. We are just completing our own strategic review, and as a matter of fact, the National Security Council meeting dealing with our position on the SALT talks, as they are described—the first was held this last Friday, and the second will be held on Wednesday. Consultation with our allies will then proceed through the balance of June and through July.

We have set July 31st as a target date for the beginning of talks, and Secretary Rogers has so informed the Soviet Ambassador. We have not had a reply from them.

Assuming that our consultations are completed, and that the Soviets find this date is acceptable to them, I would say that sometime between July 31st and the 15th of August there would be a meeting. As far as the place of the meeting is concerned, it could be Vienna, it could be Geneva. We are open on that question.

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[1] *Weekly Compilation of Presidential Documents*, June 23, 1969, pp. 880, 883.

Consideration of Moratorium on MIRV Tests

Q. Mr. President, referring to an earlier question by Mr. Valeriani, do you regard further testing of MIRV's as an obstacle to reaching an arms control agreement?

The President. I am sorry, Mr. Semple, I forgot the last part of his question. I am glad you brought it back.

As far as the further testing is concerned, this suggestion was made to me by Senator Brooke and by others in the Senate. I know that it is certainly a very constructive proposal insofar as they, themselves, are thinking about it. We are considering the possibility of a moratorium on tests as part of any arms control agreement.

However, as far as any unilateral stopping of tests on our part, I do not think that would be in our interest. Only in the event that the Soviet Union and we could agree that a moratorium on tests could be mutually beneficial to us, would we be able to agree to do so.

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The Safeguard System

Q. Mr. President, when you proposed the Safeguard antiballistic system, you said it was vital to the interests of the United States. Nevertheless, reports persist that it is in trouble, the program is in trouble, in the Senate, and there is now talk of a possible compromise in our program. What is your position on Safeguard and what do you intend to do to win passage for the program?

The President. On March 8th before I announced my decision on Safeguard, a story appeared in the Washington Post indicating that the count at that time was 20 Senators for it, 46 against it, with the rest undecided.

The latest count I have seen indicates that there are 50 or 51 for it, 46 against it, and the rest undecided. We will win the fight on Safeguard. It will not be necessary to compromise.

I don't mean by that that every section of the bill as presented to the Armed Services Committee has to be kept as it is. That is up to the Committee and to the Chairman to work out.

But in recommending Safeguard, I did so based on intelligence information at that time. Since that time new intelligence information with regard to the Soviet success in testing multiple reentry vehicles, that kind of information has convinced me that Safeguard is even more important. However we may argue about that intelligence, as to whether it has an independent guidance system as ours will have, there isn't any question but that it is a multiple weapon and its footprints indicate that it just happens to fall in somewhat the precise area in which our Minutemen silos are located.

This would mean that by the year 1973, in the event the Soviet Union goes forward with that program, that 80 percent of our Minutemen would be in danger. ABM is needed particularly in order to meet that eventuality.

375-754—70——18

Report to Secretary-General Thant by the Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, [Extract], June 27, 1969 [1]

Letter of Transmittal

Dear Mr. Secretary-General,

We have the honour to submit herewith the report of the Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries.

We are deeply aware of the importance of the task you called upon us to undertake. We hope that our endeavours will help in strengthening international co-operation in the peaceful uses of nuclear technology and will contribute to the transfer of contemporary scientific and technological achievements to the developing countries.

The Group has reached a consensus on the possible applications of nuclear technology to development and the report reflects the agreed views of all the experts.

We wish to take this opportunity to express our gratitude for the valuable assistance given us by the Secretariat of the United Nations, especially Mr. Vladimir Baum, and the secretariat of the International Atomic Energy Agency.

Yours sincerely,

(*Signed*) Carlos Graef-Fernández
Chairman of the Group of Experts

(*Signed*) Pawel Nowacki
Vice-Chairman

(*Signed*) John S. Fraser
Rapporteur

U Thant
Secretary-General
United Nations
New York

Introduction

1. The General Assembly adopted resolution 2456 A (XXIII) on 20 December 1968,[2] in which it requested the Secretary-General, in accordance with resolution G of the Conference of Non-Nuclear-Weapon States, held at Geneva from 29 August to 28 September 1968,[3] to appoint a group of experts, chosen on a personal basis, to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries; endorsed the recommendation that the Secretary-General should draw

[1] A/7568, July 24, 1969.
[2] *Documents on Disarmament, 1968*, pp. 797–799.
[3] *Ibid.*, p. 678.

the attention of the group of experts to the desirability of taking advantage of the experience of the International Atomic Energy Agency in preparing the report; requested the Secretary-General to transmit the report to the Governments of States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency in time to permit its consideration by the General Assembly at its twenty-fourth session.

2. The Secretary-General of the United Nations appointed the following eighteen persons to form the Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of the Developing Countries:

G. Cesoni (Italy); Director, Fiat-Sezione Energia Nucleare
R. B. Duffield (United States of America); Director, Argonne National Laboratory
M. A. El-Guebeily (United Arab Republic); Director-General, United Arab Republic Atomic Energy Establishment
J. S. Fraser (Canada); Senior Scientist, Atomic Energy of Canada Limited
C. Graef-Fernández (Mexico); Director of the Nuclear Centre of Mexico
H. H. Koch (Denmark); Chairman of the Executive Committee of the Danish Atomic Energy Commission
H. de Laboulaye (France); Head, Department of Programmes, Commissariat à l'énergie atomique
I. Malek (Czechoslovakia); Vice-President, Czechoslovak Academy of Sciences
S. Mitsui (Japan); Professor, Faculty of Agriculture, University of Tokyo
P. Nowacki (Poland); Director, Institute of Nuclear Research
M. G. Petrascu (Romania); Chief, Department of Nuclear Physics, Institute of Atomic Physics
J. A. K. Quartey (Ghana); Chairman, Management Committee, Ghana Atomic Energy Commission
R. Razafindratandra (Madagascar); Associate Director of Mines and Energy
H. N. Sethna (India); Director, Bhabha Atomic Research Centre and Member, Research and Development, Atomic Energy Commission
T. D. de Souza Santos (Brazil); Professor, Atomic Energy Institute
R. Spence (the United Kingdom of Great Britain and Northern Ireland); F.R.S., Master of Keynes College, University of Kent
V. I. Spitsyn (USSR); Member, USSR Academy of Sciences, Director of the Institute of Physical Chemistry
I. H. Usmani (Pakistan); Chairman, Pakistan Atomic Energy Commission

3. The Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of the Developing Countries held its first meeting at Vienna at the headquarters of the Inter-

national Atomic Energy Agency (IAEA), from 17 to 21 March 1969, during which the Agency provided valuable information which the Group found very helpful. At this meeting, Mr. C. Graef-Fernández was elected Chairman, Mr. P. Nowacki, Vice-Chairman, and Mr. J. S. Fraser, Rapporteur. The second meeting was held in New York at United Nations Headquarters from 16 to 27 June 1969. Mr. Usmani and Mr. Mitsui were unable to attend the second meeting, and Mr. S. Nishigaki of Japan took the place of Mr. Mitsui. Although Mr. Koch was not present, he was kept informed of the proceedings of the second meeting and has expressed his agreement with the text of the report.

4. The Group acknowledges with gratitude the helpful co-operation extended to it by the Food and Agriculture Organization of the United Nations (FAO), the International Bank of Reconstruction and Development (IBRD), the International Labour Organisation (ILO), the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the World Meteorological Organization (WMO).

5. Today the applications of nuclear technology are so manifold that the Group could only deal with the most outstanding of them. In placing the present status of nuclear technology in its proper context, it is instructive to recall the development of nuclear technology applications in the last twelve years. The Secretary-General, in his report on economic applications of atomic energy, published in 1957, stated that these applications were then in their infancy.[4]

6. The situation in 1969 is very different. The number of nuclear power plants in the world has grown rapidly and several types of reactor are now available for the economic production of electric power. Nuclear technology is being applied extensively in agriculture, medicine and industry.

7. A series of international conferences has been held to exchange information on the new technology. The first United Nations International Conference on the Peaceful Uses of Atomic Energy in 1955 and the establishment of the International Atomic Energy Agency in 1956 were effective in spreading an interest in nuclear power.

8. The peaceful uses of nuclear technology have three aspects—energy (including reactors and peaceful explosions), ionizing radiation and radio-active isotopes. Each of them has numerous subdivisions which broaden the spectrum of application of nuclear technology. For example, power may be large- or small-scale; ionizing radiation may be used in biology, food production and preservation, industry, and in medicine for either therapeutic or diagnostic purposes, while radio-isotopes have applications in many fields, including biology, medicine, agriculture, hydrology and industry. The three aspects of the uses of nuclear technology differ markedly in the costs involved and the benefits accruing therefrom. This should be borne in mind when analysing the prospects of the possible uses of nuclear technology in less developed countries.

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[4] See *Economic Applications of Atomic Energy: Power Generation and Industrial and Agricultural Uses* (E/3005), p. ix.

9. The Treaty on the Non-Proliferation of Nuclear Weapons [5] is also intended to create favourable conditions for the peaceful uses of atomic energy. It should enable non-nuclear countries, in particular the developing countries, to benefit on a broad scale from the many uses of nuclear technology.

10. The introduction of nuclear technology has to be considered in the context of the level of development and of the economic priorities of a developing country. Often the growth in nuclear technology cannot be sustained by national capabilities alone and a large measure of international co-operation is therefore required. Certain forms of such co-operation have met with considerable success, particularly the assistance provided by IAEA.

11. In the short term, many of the low-cost applications of nuclear technology presently available could help the process of economic growth in many developing countries. With time, an increasing number of countries will be able to install more sophisticated nuclear facilities including large and costly power plants. A systematic effort should be made to prepare for this by building up the local capabilities. This will depend to a large extent on the further development of effective methods for transferring technology in its broadest sense.

12. The purpose of this report is to indicate the promise that nuclear technology holds for the economic and scientific advancement of the developing countries. It makes no attempt to analyse the specific conditions under which applications could be introduced in various countries. It sets forth the general principles of, and the conditions required for, the effective use of nuclear technology within the framework of national development programmes.

Summary

A. *Transfer of nuclear technology*

13. Nuclear and conventional technologies are interdependent and must be related to the specific conditions prevailing in the developing countries. The introduction of nuclear technology into a developing country depends on the state of its scientific and technological infrastructure. An initial requirement is the existence of adequate educational facilities. The training of technicians and skilled workers is crucial. It is recommended that they should be accorded facilities, either individually or as small plant or project groups in which all phases of a particular activity are represented, for training in advanced countries. Nuclear centres can form a valuable link in the transfer of nuclear technology. They should be staffed with an interdisciplinary approach in mind and should co-operate with existing agricultural, medical and other organizations. The medical institutions should be encouraged to train some of their own staff in nuclear techniques. There is a need for more nuclear centres and the existing ones should be made more effective. When a strong cadre of research scientists is available, consideration may be given to a nuclear research reactor.

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[5] *Documents on Disarmament, 1968*, pp. 461–465.

14. The Group notes that certain atomic energy laboratories in industrially advanced countries are beginning to reduce their work in the field of reactor research and development, and suggests that they be invited to devote a part of their effort towards assisting developing countries.

15. The transfer of nuclear technology requires the transfer of organizational and administrative skills as well as the establishment of safety control institutions. It also has important financial aspects. The Group notes the studies being undertaken currently by various organs of the United Nations on the problem of technology transfer and expects that the question of the transfer of nuclear technology will be included in them.

B. *Nuclear minerals*

16. At the present time, only uranium is in demand as fuel for nuclear power plants; thorium may become of interest in the future. The rapid growth of nuclear power provides the uranium mining industry, for the first time in its history, with a stable and promising commercial market on which reasonably firm plans for exploration and production can be based. The amount of low-cost uranium which should be found and proved before 1980 is of the order of 1 million short tons of U_3O_8.

17. The proved low-cost ore reserves are now approximately 700,000 tons of U_3O_8, over 95 per cent of which are in developed countries. Thus, it may reasonably be expected that a more substantial proportion of the reserves to be located in the future will be found in the developing countries.

18. The average time between the start of an exploration programme and full operation of a new mine may be from six to ten years. Early exploration for uranium is therefore essential if a shortage of uranium in the late 1970s is to be avoided. Since the exploration for and the mining and milling of uranium involve heavy expenses, it is clear that, if the objective is the commercial export of uranium and not just its use in domestic nuclear power plants, consideration will have to be given to the balance between the total expenses in finding, mining and milling the ore and the value of the recoverable uranium.

19. The Group considers that more intensive exploration for uranium is one of the most important ways in which international assistance could be provided to developing countries.

C. *Nuclear power*

20. There is a direct relationship between electricity consumption and national prosperity. Therefore, increasing the electricity production in the developing countries is imperative if they are ever to approach the present prosperity levels of the industrial countries.

21. Nuclear power is expected to play a growing role in this respect. It has already achieved a commercial break-through in the technically advanced countries and is beginning to be used in a few developing countries that have the necessary minimum demand. Nuclear power has some inherent advantages for a number of the develop-

ing countries, but it must satisfy certain economic criteria such as plant size and load factor.

22. In the Group's view, these criteria should be applied flexibly and each case assessed on its individual merits. In particular, the first nuclear plant in any country may not be able to comply with stringent requirements of competitiveness, but may nevertheless be justifiable if it is the first unit in an economically sound long-term nuclear power programme. Due weight must also be given to the possible indirect industrial and scientific benefits that may result from introducing nuclear technology on a large scale.

23. The number of developing countries that could use nuclear power would be considerably increased if economically competitive medium-sized plants were to be developed. Encouragement should be given to manufacturers to take a greater interest in medium-sized nuclear power plants by further market and technical surveys of the type carried out by IAEA.

24. A developing country embarking on a nuclear power programme should select a proved type of plant and should have or establish the required technological infrastructure for plant operation, maintenance etc. The Group considers that the country should ensure that its own technical staff participates to the maximum extent possible in the selection of nuclear plants as well as in their design and construction.

Desalination

25. The demand for water is increasing more rapidly than the world population. Desalting of sea-water to satisfy this demand has great possibilities. To date, the desalting of water for municipal and industrial uses has been applied on a small scale. It is still very expensive and is only justified where fuel is extremely cheap or where there are no other sources of water. Since very large nuclear reactors produce cheap energy, nuclear energy looks especially attractive for the very large desalting plants that will be necessary to satisfy the water demands of the future.

26. The Group recognizes the advantages that may be gained from the use of large nuclear desalination plants when they can be justified; therefore, the experience of the advanced countries in this field will be of the greatest value to the developing countries. At the same time, it is clear that further research in specialized techniques aimed at reducing the water required for agriculture in arid regions may lead to more effective water usage in these areas.

27. For the remote future, agro-industrial complexes look promising. These would be very large nuclear-powered plants producing desalted water for agricultural purposes and electricity for power-intensive industries.

D. *Radio-isotopes and ionizing radiation*

28. The uses of radio-isotopes and ionizing radiation are so many that the Group could only consider the more important ones.

29. Food and agriculture are major fields in which nuclear technology can benefit the developing countries in both the short and long

terms. Therefore, all possible aid in this connexion should be extended to them. The utility of nuclear methods is evidenced by the millions of hectares of land on which high-yield radiation-mutant crop varieties are already under cultivation.

30. Isotopes are used to study the uptake of fertilizers by plants as affected by the way in which they are introduced into the soil, their distribution, time of application and chemical composition.

31. Insects can be studied by marking with radio-isotopes. The so-called sterile male technique for the control of insect pests is important since it is specific to predetermined species and minimizes the use of chemical insecticides.

32. Nuclear techniques find numerous applications in medicine and biology. Radio-active materials are used as tracers in medical research as well as in clinical diagnosis and investigation. They are also used as radiation sources in the radiation therapy of cancer and other diseases and in public health applications.

33. In industry, large radiation sources have been installed for various purposes, chiefly for sterilization. The sources utilize gamma radiation and beams of fast electrons. Gamma sources are frequently employed in the radiography of welds and castings, where they have the advantage of small size, portability and independence of power supply.

34. Radio-isotopes have found great application in measuring and controlling physical parameters in industry; instruments for measuring thickness, level, density and moisture-content are only a few examples.

35. Radio-active tracers are used both for laboratory research and for investigations in industrial plants. They have the advantage of being detectable in very low concentrations and even through the walls of pipes or process vessels. Thus, investigations can be made without the expense of shutting down a plant.

36. Nuclear techniques have also been successfully applied in the search for petroleum, particularly in the exploration of bore holes. Radio-isotope gamma and neutron sources of various kinds, coupled with gamma and neutron detectors capable of operating at depths of several kilometres, are used for bore-hole logging.

37. There is growing need for fresh water for drinking and agricultural purposes; therefore new methods have to be used to locate water sources, especially in arid areas. Radio-isotopes are making a major contribution to the solution of this problem.

E. *Nuclear explosions for peaceful purposes*

38. The Group notes that while this new branch of technology holds much promise for the future, especially for very large-scale civil engineering works as well as for developing underground mineral resources, or providing storage space for them, it is still at an early stage of development. Many uncertainties must be resolved before it can be put to industrial uses on a wide scale.

39. The Group considers that, in the international field, the first need is to obtain and systematically disseminate more information

about the potential of this new technology as well as its technical limitations and costs.

40. Article V of the Treaty on the Non-Proliferation of Nuclear Weapons provides that the "potential benefits from any peaceful applications of nuclear explosions will be made available to the non-nuclear-weapon States Party to the Treaty".

41. The Group recommends that developments in this technology be kept under constant review by IAEA in co-operation with those United Nations agencies which may be interested in their economic application and their effects upon the environment.

F. *International co-operation for promoting peaceful nuclear technology*

42. It is probable that the concerted international effort that has already been made to spread the peaceful uses of atomic energy has no parallel in other branches of modern technology. The Group notes the importance of the progress that has already been made to declassify and promote the exchange of information about nuclear science and technology, and it stresses the usefulness of conferences, seminars and other meetings of experts which take place within the framework of IAEA. It also takes note of the system for the international exchange of information currently being developed by the International Nuclear Information System of the Agency.

43. Considerable and expanding support will be necessary to foster nuclear technology in developing countries. The Group believes that technical co-operation projects carried out by IAEA will remain the chief source of assistance in introducing nuclear science and technology into many of the developing countries. The Group expresses concern at the difficult financial position of IAEA and feels that there should be a steady increase in the resources available for multilateral technical assistance.

44. For projects of the pilot plant and pre-investment type, the main source of multilateral assistance will probably continue to be UNDP. This assistance is allocated according to the priorities set by the recipient Governments. The Group believes that the Governments of developing countries could re-examine their positions on this matter, taking into consideration the success of projects of this kind already executed in other countries.

45. Major nuclear projects, such as nuclear power plants, require external financing beyond the scope of IAEA and UNDP and special financing arrangements may be necessary in many cases. The Group expresses the hope that international sources of finance, especially IBRD, will review the position taken on the prospects, criteria and conditions for supporting major nuclear projects, bearing in mind the long-term contributions that these could make to the further progress of the developing countries. It also hopes that this financial problem will be given careful and thorough study by the General Assembly and other competent organizations with a view to finding appropriate solutions.

46. The Group notes with satisfaction the high degree of co-ordination between IAEA and other United Nations bodies concerned with the transfer of nuclear technology to developing countries.

Report by Secretary-General Thant on Chemical and Bacteriological (Biological) Weapons and the Effect of Their Possible Use [Extracts], July 1, 1969 [1]

Foreword by the Secretary-General

During the past few years, I have become increasingly concerned by developments in the field of chemical and bacteriological (biological) weapons and have given expression to this concern on several occasions. A year ago, I stated publicly that "the international community was not sufficiently conscious of the dangers inherent in this new type of weapon of mass murder", and that "due attention had not been focused on this very serious problem". In the introduction to my annual report on the work of the Organization, in September 1968, I stated:

> While progress is being made in the field of nuclear disarmament, there is another aspect of the disarmament problem to which I feel too little attention has been devoted in recent years. The question of chemical and biological weapons has been overshadowed by the question of nuclear weapons, which have a destructive power several orders of magnitude greater than that of chemical and biological weapons. Nevertheless, these too are weapons of mass destruction regarded with universal horror. In some respects, they may be even more dangerous than nuclear weapons because they do not require the enormous expenditure of financial and scientific resources that are required for nuclear weapons. Almost all countries, including small ones and developing ones, may have access to these weapons, which can be manufactured quite cheaply, quickly and secretly in small laboratories or factories. This fact in itself makes the problem of control and inspection much more difficult. Moreover, since the adoption, on 17 June 1925, of the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare, there have been many scientific and technical developments and numerous improvements, if that is the right word, in chemical and biological weapons, which have created new situations and new problems. On the one hand, there has been a great increase in the capability of these weapons to inflict unimaginable suffering, disease and death to ever larger numbers of human beings; on the other hand, there has been a growing tendency to use some chemical agents for civilian riot control and a dangerous trend to accept their use in some form in conventional warfare.
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> Two years ago, by resolution 2162 B (XXI), the General Assembly called for the strict observance by all States of the principles and objectives of the Geneva Protocol of 1925, condemned all actions contrary to those objectives and invited all States to accede to the Protocol. Once again, I would like to add my voice to those of others in urging the early and complete implementation of this resolution. However, in my opinion, much more is needed . . . .[2]

At its twenty-third session, by resolution 2454 A (XXIII),[3] the General Assembly requested me to prepare, with the assistance of qualified consultant experts, a report on chemical and bacteriological (biological) weapons in accordance with the proposal contained in the introduction to my annual report on the work of the organization, and in accordance with the recommendation contained in the report

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[1] A/7575, July 1, 1969.
[2] General Assembly *Official Records: Twenty-third Session, Supplement No. 1A* (A/7201/Add. 1), pp. 3–4.
[3] *Documents on Disarmament, 1968*, pp. 793–795.

of the Conference of the Eighteen-Nation Committee on Disarmament of 4 September [28 August] 1968 (A/7189).[4]

In pursuance of this resolution, I appointed the following group of fourteen consultant experts to assist me in the preparation of the report: Dr. Tibor Bakacs, Professor of Hygiene, Director-General of the National Institute of Public Health, Budapest; Dr. Hotse C. Bartlema, Head of the Microbiological Department of the Medical-Biological Laboratory, National Defence Research Organization TNO, Rijswijk, Netherlands; Dr. Ivan L. Bennett, Director of the New York University Medical Center and Vice-President of Medical Affairs, New York University, New York; Dr. S. Bhagavantam, Scientific Adviser to the Minister of Defence, New Delhi; Dr. Jiri Franek, Director of the Military Institute for Hygiene, Epidemiology and Microbiology, Prague; Dr. Yosio Kawakita, President of University of Chiba, Professor of Bacteriology, Chiba City, Japan; M. Victor Moulin, *Ingénieur en chef de l'armement, Chef du Bureau Défense chimique et biologique, Direction technique des armements terrestres*, Saint Cloud, France; Dr. M. K. McPhail, Director of Chemical and Biological Defence, Defence Chemical, Biological and Radiation Laboratories, Defence Research Board, Ottawa; Academician O. A. Reutov, Professor of Chemistry at the Moscow State University, Moscow; Dr. Guillermo Soberón, Director, *Instituto de Investigaciones Biomédicas, Universidad Nacional Autónoma de Mexico*, Mexico City; Dr. Lars-Erik Tammelin, Chief of Department for Medicine and Chemistry, Research Institute for National Defence, Stockholm; Dr. Berhane Teoume-Lessane, Medical Co-Director and Head of Department of Viruses and Rickettsiae, Imperial Central Laboratory and Research Institute, Addis Ababa; Colonel Zbigniew Zoltowski, Professor of Medicine, Epidemiologist and Scientific Adviser to the Ministry of National Defence, Warsaw; Sir Solly Zuckerman, Chief Scientific Adviser to the Government of the United Kingdom, Professor Emeritus, University of Birmingham.

Mr. William Epstein, Director of the Disarmament Affairs Division, Department of Political and Security Council Affairs, served as Chairman of the Group of Consultant Experts. Mr. Alessandro Corradini, Chief of the Committee and Conference Services Section, acted as Secretary of the Group. He was assisted by members of the Disarmament Affairs Division.

After giving due consideration to the terms of the resolution and to the views expressed and the suggestions made during the discussion of the question at the twenty-third session of the General Assembly, I reached the conclusion that the aim of the report should be to provide a scientifically sound appraisal of the effects of chemical and bacteriological (biological) weapons and should serve to inform Governments of the consequences of their possible use. Within this over-all framework, the report would furnish accurate information in a concise and readily understandable form on the following matters: the basic characteristics of chemical and bacteriological (biological) means of warfare; the probable effects of chemical and bacteriological (biological) weapons on military and civil personnel, both protected

[4] *Ibid.*, p. 594.

and unprotected; the environmental factors affecting the employment of chemical and bacteriological (biological) means of warfare; the possible long-term effects on human health and ecology; and the economic and security implications of the development, acquisition and possible use of chemical and bacteriological (biological) weapons and of systems for their delivery.

The consultant experts to whom I conveyed these terms of reference accepted them as the basis for their study.

It was my intention that the Group of Consultant Experts should survey the entire subject from the technical and scientific points of view, so that the report could place these weapons in proper perspective. It was also my hope that an authoritative report could become the basis for political and legal action by the Members of the United Nations.

As the report was to be made available by 1 July 1969, very concentrated efforts by the consultant experts were required in order to cover this extensive field. The members of the Group, acting in their personal capacities, carried out this demanding task at three sessions between January and June 1969.

The Group had the benefit of valuable submissions from the World Health Organization, the Food and Agriculture Organization, the International Committee of the Red Cross, the Pugwash Conference on Science and World Affairs (Pugwash) and the International Institute for Peace and Conflict Research (SIPRI). I wish to express my grateful appreciation to all the consultant experts for their dedicated work and to the organizations and bodies who co-operated in the preparation of the study.

The Group has submitted to me a unanimous report embodying its findings and conclusions. I wish to avail myself of this opportunity to express my gratification for the very high level of competence with which the consultant experts have discharged their mandate. In a very short period of time, they have produced a study, which, in spite of the many complex aspects of the subject matter, is both concise and authoritative. It is a document which, I believe, provides valuable insights into the grave dangers that are posed by the production and possible use of these dreaded weapons.

I am particularly impressed by the conclusion of the consultant experts wherein they state:

> The general conclusion of the report can thus be summed up in a few lines. Were these weapons ever to be used on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live. This overriding danger would apply as much to the country which initiated the use of these weapons as to the one which had been attacked, regardless of what protective measures it might have taken in parallel with its development of an offensive capability. A particular danger also derives from the fact that any country could develop or acquire, in one way or another, a capability in this type of warfare, despite the fact that this could prove costly. The danger of the proliferation of this class of weapons applies as much to the developing as it does to developed countries.
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> The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925,[5]

[5] *Post*, pp. 764–765.

and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.

If this were to happen, there would be a general lessening of international fear and tension. It is the hope of the authors that this report will contribute to public awareness of the profoundly dangerous results if these weapons were ever used, and that an aroused public will demand and receive assurances that Governments are working for the earliest effective elimination of chemical and bacteriological (biological) weapons.[6]

I have given the study prepared by the consultant experts my earnest consideration and I have decided to accept their unanimous report in its entirety, and to transmit it to the General Assembly, the Security Council, the Eighteen-Nation Committee on Disarmament and to the Governments of Member States, as the report called for by resolution 2454 A (XXIII).

I also feel it incumbent upon me, in the hope that further action will be taken to deal with the threat posed by the existence of these weapons, to urge that the Members of the United Nations undertake the following measures in the interests of enhancing the security of the peoples of the world:

1. To renew the appeal to all States to accede to the Geneva Protocol of 1925;

2. To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future;

3. To call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.

. . . . . .

Introduction

1. In accordance with the resolution of the General Assembly 2454 A (XXIII) the Secretary-General was asked to prepare, with the assistance of qualified consultant experts, a report on chemical and bacteriological (biological) weapons and on the effects of their possible use.[7] Specifically the experts were asked to provide a scientific appraisal of the characteristics of the chemical and bacteriological (biological) weapons which could be used in warfare; of the effects they could have on military personnel and civilians; as well as of their long-term effects on health and our physical environment. They were also asked to provide a statement about the economic and security implications of the development, acquisition and possible use of such weapons and associated weapon systems. The report which follows is confined to these objectives.

2. No form of warfare has been more condemned than has the use of this category of weapons. The poisoning of wells has been regarded

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[6] *Infra.*
[7] *Documents on Disarmament, 1968*, pp. 793–795.

from time immemorial as a crime incompatible with the rules of war. "War is waged with weapons, not with poison" ("*Armis bella non venenis geri*"), declared the Roman jurists. As the destructive power of arms increased over the years, and with it the potential for the widespread use of chemicals, efforts were made to prohibit through international understandings and by legal means the use of chemical weapons. The Brussels Declaration of 1874 [8] and the Hague Conventions of 1899 and 1907 [9] prohibited the use of poisons and poisoned bullets and a separate declaration of the Hague Convention of 1899 condemned "the use of projectiles the sole object of which is the diffusion of asphyxiating or deleterious gases".[10]

3. The fear today is that the scientific and technological advances of the past few decades have increased the potential of chemical and bacteriological (biological) weapons to such an extent that one can conceive of their use causing casualties on a scale greater than one would associate with conventional warfare. At the moment most of our knowledge concerning the use of chemical weapons is based upon the experience of World War I. Gas was first used in 1914 and the first big attack in 1915 claimed 5,000 human lives. It is estimated that from then until the end of the war in 1918, at least 125,000 tons of toxic chemicals were used, and according to official reports gas casualties numbered about 1,300,000, of which about 100,000 were fatal. The agents which were used in this war were much less toxic than those, in particular nerve agents, which could be used today, and they were dispersed by means of relatively primitive equipment as compared with what is now available, and in accordance with battlefield concepts of a relatively unsophisticated kind.

4. It is true that a considerable effort has also been made to develop chemical agents which have as their purpose not to kill but to reduce a man's capacity to fight. Such agents are used by civil authorities of a number of countries in order to suppress disorders and to control riots, but when used in warfare they would inevitably be employed as an adjunct to other forms of attack, and their over-all effect might be lethal.

5. Since World War II, bacteriological (biological) weapons have also become an increasing possibility. But because there is no clear evidence that these agents have ever been used as modern military weapons, discussions of their characteristics and potential threat have to draw heavily upon experimental field and laboratory data, and on studies of naturally occurring outbreaks and epidemics of infectious disease, rather than on direct battlefield experience. Their potential importance in warfare can be sensed when one remembers that infectious disease even as late as World War II caused numerous casualties.

6. The greater threat posed by chemical weapons today derives from the discovery and manufacture of new, more toxic compounds. On the other hand, bacteriological (biological) agents already exist

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[8] 65 *British and Foreign State Papers* 1061.

[9] William D. Malloy, comp., *Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States of America and Other Powers*, Vol. II, pp. 2052, 2285.

[10] 91 *British and Foreign State Papers* 1014.

in nature and can be selected for use in warfare. Some of these agents, notably bacteria, have been known for several decades, but there is a vast number of other possible agents, especially viruses, which have been discovered only recently, and some of these also possess characteristics which make their use possible in war. Increases in potency of these various types of agent have been made possible by scientific and technological advances in microbial genetics, experimental pathology and aerobiology.

7. As is well known, the use of toxic gases in World War I generated so powerful a sense of outrage that countries were encouraged to adopt measures prohibiting both chemical and bacteriological (biological) weapons. The result was the Geneva Protocol of 17 June 1925, which prohibits the use in war of asphyxiating, poisonous or other gases and of all analogous liquids, materials or devices, as well as bacteriological methods of warfare.[11] This established a custom and hence a standard of international law, and in practice most States have adhered to the principle that no one should resort to the use of such weapons. But despite the abhorrence in which they have always been held by civilized peoples, chemical weapons have none the less on occasion been used. For example, mustard gas was used in Ethiopia in 1935–36, causing numerous casualties amongst troops and a civilian population which was not only completely unprotected, but which lacked even the most elementary medical services. It should also be noted that the existence of the Geneva Protocol of 1925 may have helped as a deterrent to the use of chemical or bacteriological (biological) weapons in World War II, even though the belligerents in that conflict had developed, produced and stockpiled chemical agents for possible use. The International Tribunal at Nuremberg brought into the open the fact that amongst the new agents which had been produced and stockpiled during the course of the war were such highly lethal agents as Tabun and Sarin. Since then the validity and effectiveness of the Geneva Protocol have been reinforced by the approval, by the General Assembly of the United Nations, without a single dissenting voice, of resolutions 2162 B (XXI) of 5 December 1966[12] and 2454 A (XXIII) of 20 December 1968,[13] calling for "strict observance by all States of the principles and objectives" of the Geneva Protocol, and inviting all States to accede to it.

8. It is simple to appreciate the resurgence of interest in the problems of chemical and bacteriological (biological) warfare. Advances in chemical and biological science, while contributing to the good of mankind, have also opened up the possibility of exploiting the idea of chemical and bacteriological (biological) warfare weapons, some of which could endanger man's future, and the situation will remain threatening so long as a number of States proceed with their development, perfection, production and stockpiling.

9. The report, as is noted in the General Assembly resolution, is designed to submit to peoples and governments, in a form easily under-

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[11] *Post*, pp. 764–765.
[12] *Documents on Disarmament, 1966*, pp. 798–799.
[13] *Ibid., 1968*, pp. 793–795.

stood by them, information on the effects of the possible use of chemical and bacteriological (biological) weapons, as well as to promote a further consideration of problems connected with chemical and bacteriological (biological) weapons. Information about the nature of chemical and bacteriological (biological) weapons, about their increase and diversification as technology has advanced, about their long-term effects on human beings, animals and vegetation, and about environmental factors which condition these effects, is provided in Chapters I to IV of the Report. In Chapter V, which deals with the economic and security implications of chemical and bacteriological (biological) warfare, the experts have interpreted the word "security" to mean both security in the narrow military sense, and security in terms of the adverse and long-term effects which these weapons, given they were ever used, could have on the framework of civilized existence.

10. As the present report shows, the outstanding characteristics of this class of weapons, and particularly of bacteriological (biological) weapons, is the variability, amounting under some circumstances to unpredictability, of their effects. Depending on environmental and meteorological conditions, and depending on the particular agent used, the effects might be devastating or negligible. They could be localized or widespread. They might bear not only on those attacked but also on the side which initiated their use, whether or not the attacked military forces retaliated in kind. Civilians would be even more vulnerable than the military. The development, acquisition and deployment of chemical and bacteriological (biological) weapons—quite apart from questions of protection—constitutes a real economic burden which varies in extent for different countries. Above all their acquisition could not possibly obviate the need for other weapons.

11. As chapters I and V of the report indicate, it would be enormously costly in resources, and administratively all but impossible, to organize adequate protection for a civilian population against the range of possible chemical agents. Even military personnel, if locally engaged in a particular operation in which chemical and/or bacteriological (biological) weapons were used and where they had the advantage of protective measures, would be unlikely to escape the wider-spread and longer-term effects on their country at large. These might arise, for example, from the impracticability of protecting soil, plants, animals and essential food crops against short and long-term effects.

12. To appreciate the risks which bacteriological (biological) warfare could entail, one has only to remember how a natural epidemic may persist unpredictably, and spread far beyond the initial area of incidence, even when the most up-to-date medical resources are used to suppress the outbreak. The difficulties would be considerably increased were deliberate efforts made, for military reasons, to propagate pathogenic organisms. Mass disease, following an attack, especially of civilian populations, could be expected not only because of the lack of timely warning of the danger, but also because effective measures of protection or treatment simply do not exist or cannot be provided on an adequate scale.

13. Once the door was opened to this kind of warfare, escalation would in all likelihood occur and no one could say where the process would end. Thus, the report concludes that the existence of chemical and bacteriological (biological) weapons not only contributes to international tension, but that their further development spurs the arms race without contributing to the security of any nation.

14. The present report will, in accordance with resolution 2454 A (XXIII), be submitted to the Eighteen-Nation Committee on Disarmament, to the Security Council and to the General Assembly at its twenty-fourth session. We hope that it will contribute to the implementation of measures which, in the final analysis, will eliminate chemical and bacteriological (biological) weapons from all military arsenals.

CHAPTER I

The Basic Characteristics of Chemical and Bacteriological (Biological) Means of Warfare

15. Since World War I, when chemical warfare was first resorted to on a large scale, the variety and potency of chemical and bacteriological (biological) weapons has grown steadily, and there has been a corresponding increase in the capacity to deliver them to a target area. The particular threat posed by chemical weapons today derives from the existence of new, and far more toxic, chemical compounds than were known fifty years ago. Since bacteriological (biological) agents exist naturally, their increased potency as weapons has resulted from a process of selection rather than from the production of entirely new agents. As is explained in later sections of this report, selection has been made possible by advances in our knowledge of the genetics of microbes, and through advances in experimental aerobiology.

16. The most significant result of these technical developments is the great variety of injurious effects which these agents can induce, and the consequent increase in the number and types of situations in which there might be a temptation to use them for military purposes.

A. CHARACTERISTICS OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS

17. For the purposes of this report, chemical agents of warfare are taken to be chemical substances, whether gaseous, liquid, or solid, which might be employed because of their direct toxic effects on man, animals and plants. Bacteriological (biological) agents of warfare are living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

18. Various living organisms (e.g. rickettsiae, viruses and fungi), as well as bacteria, can be used as weapons. In the context of warfare all these are generally recognized as "bacteriological weapons". But in order to eliminate any possible ambiguity, the phrase "bacteriological (biological) weapons" has been used throughout to comprehend all forms of biological warfare.

19. All biological processes depend upon chemical or physico-chemical reactions, and what may be regarded today as a biological

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agent could, tomorrow, as knowledge advances, be treated as chemical. Because they themselves do not multiply, toxins, which are produced by living organisms, are treated in this report as chemical substances. We also recognize there is a dividing line between chemical agents of warfare in the sense we use the terms, and incendiary substances such as napalm and smoke, which exercise their effects through fire, temporary deprivation of air or reduced visibility. We regard the latter as weapons which are better classified with high explosives than with the substances with which we are concerned. They are therefore not dealt with further in this report.

20. Finally, we recognize that both chemical and bacteriological (biological) agents are designated either as lethal agents, that is to say, agents which are intended to kill, or as incapacitating agents, that is to say, agents which are intended to cause disability. These terms are not absolute, but imply statistical probabilities of response which are more uncertain with bacteriological (biological) than with chemical agents. Not all individuals will die from an attack with a given lethal agent, whereas some, for example infants and people weakened by malnutrition, disease or old age, as well as a high proportion of individuals in special circumstances, for example following irradiation, might succumb to an attack with incapacitating chemical or bacteriological (biological) agents. With a few chemical agents, notably some tear gases (lachrymators), there is a negligible probability of any fatal outcome, and these have been used by many Governments to quell riots and civil disorders. When used in this way they are called riot control agents. Lachrymators have also been widely used in warfare as harassing agents, in order to enhance the effectiveness of conventional weapons, or to facilitate the capture of enemy personnel.

1. *Differences between Chemical and Bacteriological (Biological) Warfare*

21. Although there are some similarities between chemical and bacteriological (biological) agents regarded as weapons of war, they differ in certain important respects. These differences are related to (1) potential toxicity; (2) speed of action; (3) duration of effect; (4) specificity; (5) controllability; and (6) residual effects.

Potential toxicity

22. Although more toxic than most well-known industrial chemicals, chemical warfare agents are far less potent on a weight-for-weight basis than are bacteriological (biological) agents. The dose of a chemical agent required to produce untoward effects in man is measured in milligrams, except for toxins which may be in the microgram range. The corresponding dose for bacteriological (biological) agents is in the picogram range.

23. This difference reflects the fact that bacteriological (biological) agents, being alive, can multiply, and its significance is that, weight-for-weight, bacteriological (biological) weapons could be expected to inflict casualties over very much more extensive areas than could chemical weapons.

24. Being living organisms, bacteriological (biological) agents are also very much more susceptible to sunlight, temperature, and other environmental factors than are chemical agents. A bacteriological (biological) agent disseminated into a given environment may retain its viability (ability to live and multiply) while losing its virulence (ability to produce disease and injury).

Speed of action

25. As a class, chemical agents produce their injurious effects in man, animals, or plants more rapidly than do bacteriological (biological) agents. The time between exposure and significant effect may be minutes, or even seconds, for highly toxic gases or irritating vapours. Blister agents take a few hours to produce injury. Most chemicals used against crops elicit no noticeable effect until a few days have elapsed. On the other hand, a bacteriological (biological) agent must multiply in the body of the victim before disease (or injury) supervenes; this is the familiar "incubation period" of a disease, the time which elapses between exposure to infection and the appearance of symptoms of illness. This period is rarely as short as one or two days, and may be as long as a few weeks or even longer. For both chemical and bacteriological (biological) agents the speed of action is affected by the dose (i.e., the quantity absorbed) but this secondary factor does not obscure the basic difference between the two classes of agents in the time they take to manifest their effects.

Duration of effect

26. The effects of most chemical agents which do not kill quickly do not last long, except in the case of some agents such as phosgene and mustard, where they might continue for some weeks, months or longer. On the other hand, bacteriological (biological) agents which are not quickly lethal cause illness lasting days or even weeks and on occasion involve periods of prolonged convalescence. The effects of agents which act against plants and trees would last for weeks or months and, depending on the agent and the species of vegetation attacked, could result in death.

Specificity

27. While both classes of agents can be used to attack man, animals or plants, individual biological agents have in general a much greater degree of host specificity. Influenza, for example, is essentially a disease of man; foot-and-mouth disease mainly affects cloven-hoofed animals; and rice blast is a disease confined to rice only. On the other hand, some diseases (for example, brucellosis and anthrax) occur both in man and animals. However, chemical agents are much less specific: nerve agents can affect mammals, birds and invertebrates (e.g., insects).

Controllability

28. By controllability is meant the ability to predict the extent and nature of the damage which chemical and bacteriological (biologi-

cal) agents can cause. This is a most important consideration in their use as weapons. The most likely means of delivering chemical and bacteriological (biological) agents is by discharge into the atmosphere, relying on turbulent diffusion and wind currents to dilute and spread the agent over the area being attacked. Control is thus possible only to the extent that the meteorological situation can be predicted.

29. Because they infect living organisms, some bacteriological (biological) agents can be carried by travellers, migratory birds, or animals, to localities far from the area originally attacked.

30. The possibility of this kind of spread does not apply to chemical agents. But control of contamination by persistent chemical agents could be very difficult. Should large quantities of chemical agents penetrate the soil and reach underground waters, or should they contaminate reservoirs, they might spread hundreds of kilometres from the area of attack, affecting people remote from the zone of military operations. Although we know of no comparable substance likely to be used as a chemical warfare agent, the spread of DDT over the globe illustrates, in an extreme form, how man-made chemicals can spread. This chemical insecticide is now found in the tissues of creatures in all parts of the world, even in places in which it has never been used. For example, as a result of its transfer through food chains, it is even found in the tissues of the penguins which live in Antarctica.

Residual effects

31. In circumstances which favour their persistence, herbicides, defoliants and perhaps some other chemical agents, might linger for months, stunting the growth of surviving or subsequent plant life, and even changing the floral pattern through selection. Following repeated use, certain chemical agents could even influence soil structure. The risk of residual effects with some bacteriological (biological) agents is potentially greater, mainly because they could lead to disease, which might become epidemic if man-to-man transmission occurred readily. Bacteriological (biological) agents might also find unintended hosts in the animals and plants of an area, or be transported by infected individuals over great distances to new environments.

2. *Technology of chemical and bacteriological (biological) warfare*

32. The technological problems associated with chemical and bacteriological (biological) warfare are of two kinds: (1) those associated with the production of the agents and the weapons needed for their dissemination and (2) those which concern the provision of the protective equipment and defences necessary to protect military forces and civilian populations. Any nation whose chemical, pharmaceutical and fermentation industries are well advanced could produce chemical and bacteriological (biological) agents on a scale commensurate with its other military capabilities. The assurance of safety in the production of bacteriological (biological) agents, problems associated with the synthesis of complex chemical agents, and deciding on the best weapons to disseminate them, are examples of some of the relevant

technological difficulties. A special problem associated with the development and maintenance of an offensive capability in bacteriological (biological) warfare relates to the fact that some agents are viable for only a short time (a few days) after manufacture. This period can be extended by refrigeration of the agent or by freeze-drying it before storage. The drying processes, however, are very complex and difficult where large quantities of highly pathogenic agents are involved. The problems which relate to defence are far more difficult, for as with most weapons, effective defence calls for much more stringent training, and demands far more manpower and monetary resources than does the offence. For example, alarm systems against chemical attack are very complex electro-mechanical devices whose production demands a highly technologically based industry. They cannot be maintained except by expert and highly trained personnel.

3. *Chemical and bacteriological (biological) weapons systems*

33. The use in warfare, and the possible military effectiveness, of chemical and bacteriological (biological) agents cannot be appreciated if they are thought of simply as poisons and plagues. They need to be considered in the context of the weapon systems of which they would be part.

34. A weapon system comprises all the equipment and personnel, as well as the organizational structure, required to maintain and operate a military device. By itself, for example, a cannon is not a weapon system. Only when it is integrated into an artillery battery, together with trained crew, ammunition, vehicles, supplies, spare parts, firing table, forward observer, communications and command organization does it constitute a weapon system. Correspondingly, artillery shells filled with mustard gas or nerve agents and guns to fire them, or an aircraft with a spray tank filled with a bacteriological (biological) agent, are not by themselves weapon systems.

35. Many complex technological problems have to be overcome in transforming a chemical or bacteriological (biological) "agent" into a "weapon system". A "weapon" is of little military value if it is not dependable and if it cannot be delivered to a target with certainty. This means that in the development of a chemical and bacteriological (biological) weapon system it is not only necessary to consider matters such as mass production, storage, transportation, and means of delivery, but also the limitations on use set by terrain and weather prediction.

36. In addition, considerations affecting defence need to be taken into account. Masks, protective clothing, detection alarms, special medical supplies, augmented logistic facilities and, above all, thoroughly trained military and civilian personnel are necessary parts of chemical and bacteriological (biological) weapon systems. The concept of a fully developed chemical or bacteriological (biological) weapon system is thus exceedingly complex, and implies as much technical capability and as high a degree of training as does the operation of any other advanced weapon systems. While chemical and bac-

teriological (biological) weapon systems are cheaper and more readily attained than nuclear weapons, and while they may in some circumstances be more effective militarily than conventional weapons, they are highly complex systems which for their development and operation call for sizable resources and considerable expertise. But the possibility always exists that by choosing a single agent and a simple means of delivery, a nation could equip itself relatively cheaply to attack a limited area with a reasonable chance of success.

B. CONCEPTS OF THE USE OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS IN WAR

1. *Chemical weapons*

37. Chemical weapons could be used either within the zone of contact of opposing forces; or against military targets such as airfields, barracks, supply depots, and rail centres well behind the battle-area itself; or against targets which have no immediate connexion with military operations; for example, centres of population, farm land, and water supplies. The circumstances in which they could be used within a zone of contact are many and varied—for example, to achieve a rapid and surprise advantage against a poorly trained, ill-equipped military force which lacked chemical protective equipment; to overcome troops in dug-outs, foxholes, or fortifications where they would be otherwise protected against fragmenting weapons and high-explosive; to remove foliage, by means of chemical herbicides so as to improve visibility and to open up lines of fire, and to prevent ambush; to create barriers of contaminated land on or in the rear of the battlefield to impede or channel movement; or to slow an enemy advance by forcing them to use protective clothing and equipment. Such equipment undoubtedly restricts mobility and impedes normal activities. It is thus highly probable that once one of two well-equipped sides had been attacked with chemical weapons, it would retaliate in kind, in order to force its opponent to suffer the same penalties of restriction. In all such operations civilians who had not fled from the battle-area might become casualties, as they also would if, while not in the battle-zone, vapours or aerosols drifted towards them with the wind, or if they strayed at a latter date into areas contaminated with a persistent agent. The risk of civilian casualties would obviously be greater if chemical attacks were made on military targets well in the rear of the zone of contact, and would be very serious in the case of attacks on centres of population.

2. *Bacteriological (biological) weapons*

38. There is no military experience of the use of bacteriological (biological) agents as weapons of war and the feasibility of using them as such has often been questioned. One issue which has frequently been raised concerns the validity of extrapolations made from laboratory experience to military situations in the field. Some recent investigations under field conditions throw light on this point.

39. In one field trial, zinc cadmium sulfide (a harmless powder) was disseminated in particles two microns in diameter, from a ship travelling 16 kilometres offshore. About 200 kilograms were disseminated while the ship travelled a distance of 260 kilometres parallel to the coastline. The resulting aerosol travelled at least 750 kilometres, and covered an area of over 75,000 square kilometres.

40. This observation provides an indication of the size of area which might be covered by a windborne aerosol, but it does not tell whether the bacteriological (biological) agents which might be spread in an aerosol would still retain the ability to produce disease. All bacteriological (biological) agents lose their virulence or die progressively while travelling in an aerosol and the distance of effective travel of the cloud would depend on the rate of decay of the particular agent in the particular atmospheric conditions prevailing.

41. Some idea of the relative size of areas which can be covered by bacteriological (biological) and chemical aerosols can be gained from this same experiment. Had the particles that were carried been a bacterial or viral agent, they would not have caused casualties over as large an area as the one covered, because of decay of the agent while in the aerosol state. However, depending on the organism and its degree of hardiness, areas of 5,000 to 20,000 km^2 could have been effectively attacked, infecting a high proportion of unprotected people in the area. If the same means are applied to a hypothetical chemical attack using the most toxic chemical nerve agent, then about 0.8 kg of agent would have been released per km^2. The downwind hazard from this, in which some casualties might be expected, would not have extended more than one kilometre, and probably less, unless meteorological conditions were extremely favourable (see chapter III). The area covered by such a chemical attack might thus have been 50 to 150 km^2, as compared with the 5,000 to 20,000 km^2 for the bacteriological (biological) attack.

42. For purposes of sabotage or covert (secret, as in sabotage actions behind enemy lines) operations, small aerosol generators for bacteriological (biological) agents could be built, for example, into fountain pens or cigarette lighters. It is also possible to conceive of the distribution of bacteriological (biological) agents by hand to poison either water supplies or ventilation systems, especially in a situation of breakdown of sanitary facilities due, say, to military mobilization, or to a nuclear attack. In addition to producing casualties, such an attack could produce severe panic. If half a kilo of a culture of Salmonella had been added to a reservoir containing 5 million litres of water, and complete mixing had occurred, severe illness or disability would be suffered by anyone drinking 1 decilitre (about 3 ounces) of untreated water.

43. The same degree of poisoning as would be produced by half a kilo of Salmonella culture could be achieved with 5 kilos of botulinum toxin, 7 kilos of staphylococcal enterotoxin, or 50 kilos of V-nerve agent, or in the case of common industrial chemicals, with five tons of sodium fluoroacetate (used as a rodenticide) or ten tons of potassium cyanide.

C. CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) AGENTS

1. *Chemical agents*

44. Chemical agents are usually described in terms of their physiological effects and are characterized as follows:

Agents affecting man and animals

Nerve agents are colourless, odourless, tasteless chemicals, of the same family as organophosphorus insecticides. They poison the nervous system and disrupt vital body functions. They constitute the most modern war chemicals known; they kill quickly and are more potent than are any other chemical agents (except toxins).

Blister agents (*vesicants*) are oily liquids which, in the main, burn and blister the skin within hours after exposure. But they also have general toxic effects. Mustard gas is a good example. Blister agents caused more casualties than any other chemical agent used in World War I.

Choking agents are highly volatile liquids which, when breathed as gases, irritate and severely injure the lungs, causing death from choking. They were introduced in World War I and are of much lower potency than the nerve agents.

Blood agents are also intended to enter the body through the respiratory tract. They produce death by interfering with the utilization of oxygen by the tissues. They, too, are much less toxic than nerve agents.

Toxins are biologically produced chemical substances which are very highly toxic and may act by ingestion or inhalation.

Tear and harassing gases are sensory irritants which cause a temporary flow of tears, irritation of the skin and respiratory tract, and occasionally nausea and vomiting. They have been widely used as riot control agents, and also in war.

Psycho-chemicals are drug-like chemicals intended to cause temporary mental disturbances.

Agents affecting plants

Herbicides (*defoliants*) are agricultural chemicals which poison or dessicate the leaves of plants, causing them to lose their leaves or die. The effectiveness of different chemical warfare agents against man, animals and plants is shown in table I. The various specific chemical agents are listed and described in chapter 2.

Methods of delivery

45. Chemical munitions are designed to fulfil three objectives: (1) to provide a container for the agent so that the agent/munition combination can be delivered to its target; (2) to attain an effective distribution of agent over the target area; and (3) to release the agent in active form. In the case of incapacitating and riot control agents, it is necessary that the munition itself should not cause injury or death, and that it should not start fires. This is particularly important for devices used in the control of riots.

46. The munitions to be used would depend on the method of delivery, the shape and size of the target area, and other variables.

Ground-to-ground munitions include grenades, shells, rockets, and missile warheads; air-to-ground munitions include large bombs, dispensers, spray tanks, and rockets; emplaced munitions include generators and mines.

47. *Ground-to-ground munitions.* Small ground-to-ground munitions (grenades, shells and small rockets) function much like their conventional counterparts. Upon impact in the target area, they would either explode or burn, and so expel the agent to form a cloud which would diffuse and drift downwind, resulting in an elongated elliptical area within which casualties would occur. This represents a point source of dissemination (chapter II).

48. Small rockets would frequently be fired in "ripples", and artillery shells in salvos, resulting in a group of impacts over the target area. This would constitute an area source of dissemination (chapter II).

49. Large ground-to-ground (as well as aerial munitions and missile warheads) might carry a number of small submunitions as well as agent in bulk. The parent munition, upon functioning, would disperse the submunitions over the target area. These would then disseminate the agent over a wide area rather than a single point of impact, as in the case of bulk munitions.

50. Another military concept is to use large warheads filled with several hundred kilos of an agent of low vapour pressure. Such a warhead, burst at a suitable altitude would produce a shower of droplets, effectively contaminating everything on which it fell. A number of such weapons could be used to assure that the target was covered.

51. *Air-to-ground munitions.* Bombs dropped from aircraft are larger than most shells, and consequently would result in a higher concentration of the chemical near the point of ground impact. Bombs bursting close to the ground could be used to achieve a wider dissemination of the agent, especially with chemical agents.

52. A dispenser is a container for submunitions, which, after opening, could remain attached to the aircraft. The submunitions could be released simultaneously or in succession.

53. Small rockets or missiles could also be used to deliver chemical agents from aircraft. The pattern of dispersal would be much the same as that produced by ground-to-ground rockets or missiles.

54. *Ground-emplaced munitions.* Ground-emplaced munitions comprise generators and mines. The generator is a tank containing a chemical agent, a source of pressure, and a nozzle through which the agent is forced. Generators would be placed upwind of the target, and then activated by a suitable device.

55. Chemical mines would be placed in areas of anticipated enemy activity, and would be activated by pressure or trip wires.

2. *Bacteriological (biological) agents*

56. Like chemical agents, bacteriological (biological) agents may also be classified in terms of their intended use, whether designed to incapacitate or kill human beings, to incapacitate or kill food and draft animals, or to destroy food plants and industrial crops.

57. Bacteria, viruses, fungi, and a group of microbes known as rickettsiae are by far the most potent agents which could be incor-

porated into weapon systems. There is no assurance, however, that other living organisms may not in the future become more important as potential agents for warfare.

The selection of agents for use in warfare

58. The number of bacteriological (biological) agents which could potentially be used in warfare is far fewer than those which cause naturally-occurring disease. To be effective for this purpose they should:

(a) be able to be produced in quantity;
(b) be capable of ready dissemination in the face of adverse environmental factors;
(c) be effective regardless of medical counter-measures;
(d) be able to cause a large number of casualties (this would imply that any agent chosen would be highly infectious, but whether the agent chosen would also be easily transmissible from man-to-man, would depend upon an intent to initiate an epidemic spread).

Agents affecting man

59. All the diseases under consideration occur naturally, and the causative organisms with few exceptions, are known to scientists throughout the world. Incapacitating agents are those which, in natural outbreaks, cause illness but rarely death. If the natural disease has an applicable mortality, the agent is regarded as a lethal one. However, these agents when used as aerosol weapons might cause more severe disease than occurs naturally.

60. Different populations have varying degrees of resistance to the diseases produced by bacteriological (biological) agents. An infectious disease which might be only mildly incapacitating in one population might prove disastrous to another. For example, when measles was first introduced into the Hawaiian Islands, it caused far more deaths than in the relatively resistant populations of Europe. A bacteriological (biological) weapon which might be intended only to incapacitate could be highly lethal against a population where resistance had been lowered as a result of malnutrition. Conversely, a weapon which was intended to spread a lethal disease might only cause occasional mild illness in people who had been given a protective vaccine or who had become immune as a result of natural infection. The history of epidemiology is rich with surprises.

61. *Viruses* are the smallest forms of life. Most of them can be seen only with the electron microscope, and must be grown on living tissue (tissue cultures, fertile eggs, etc.). Genetic manipulation of the whole virus or chemical manipulation of its nucleic acid might be used to acquire strains of higher virulence or greater stability to environmental stresses.

62. *Rickettsiae* are intermediate between the viruses and bacteria. Like the viruses, they grow only in living tissue. Judging by the scientific literature, research into the genetics of rickettsiae has been less intense than into that of viruses and bacteria.

63. *Bacteria* are larger than viruses, ranging in size from 0.3 micron to several microns. They can be easily grown on a large scale

employing equipment and processes similar to those used in the fermentation industry, but special skills and experience would be needed to grow them in quantity in the particular state in which they readily cause disease. Although many pathogenic (disease-producing) bacteria are susceptible to antibiotic drugs, antibiotic-resistant strains occur naturally, and can be selected or obtained through the use of suitable methods of genetic manipulation. Similarly, it is possible to select strains with increased resistance to inactivation by sunlight and drying.

64. *Fungi* also produce a number of diseases in man, but very few species appear to have any potential in bacteriological (biological) warfare.

65. *Protozoa* are one-celled microscopic organisms which cause several important human diseases, including malaria. Because of their complex life cycles, they too appear to have little significance in the present context.

66. Parasitic *worms* such as hook-worm, and the filarial worms have very complicated life cycles. They cause illness and disability only after long exposure and repeated infection, and would be extremely difficult to produce in quantity, to store, to transport, or disseminate in a weapon. Insects are also difficult to conceive of as weapons. Some, such as the mosquito and the tick are transmitters of disease, and as "vectors", have to be looked upon as having potential military significance. Higher forms of life, such as rodents and reptiles can be dismissed in the context of the present discussion.

Agents affecting animals

67. Bacteriological (biological) anti-animal agents, such as foot-and-mouth disease and anthrax would be used primarily to destroy domestic animals, thereby indirectly affecting man by reducing his food supply.

68. Outbreaks of contagious disease in animal populations, known as epizootics, may spread much more readily than do epidemics among human beings. Viral infections are probably more serious for animals than those caused by other classes of micro-organisms.

69. Most of the bacterial diseases of animals which could probably be used in warfare are also transmissible to man. Human beings would be expected to get the disease if they were affected by the attacking aerosol cloud, and occasional individuals might contract the disease from infected animals.

Agents affecting plants

70. The natural occurrence of devastating plant diseases such as the blight of potatoes in Ireland in 1845, the coffee rust of the 1870s in Ceylon, the chestnut blight of 1904 in the United States of America, and the widespread outbreaks today of cereal (especially wheat) rusts has suggested that plant pathogens might be used for military purposes. There are four major requirements for the deliberate development of a plant disease into epidemic (epiphytotic) proportions: large amounts of the host plant must be present in the region; the agent should be capable of attacking the particular varieties of host plant that are grown; adequate quantities of the agent must be present; and

the environmental conditions within the region should be favourable for the spread of the disease. An epiphytotic cannot develop if any one of the above requirements is not satisfied.

Methods of delivery

71. Bacteriological (biological) agents can, in principle, be loaded into the same type of munitions as can chemical agents. Other than for covert or "special-purpose missions", bacteriological (biological) weapons, if developed for military purposes, would in all probability be delivered by aircraft or by large ballistic missiles. Aircraft (including cruise missiles and drones) could drop a large number of bomblets from high altitude, or spray from a low altitude. Because a small amount of agent will cover relatively large areas, bombs would probably be small (1 kilo or less) and dispersed over as wide an area as possible. They could be released from clusters or from dispensers in the manner of chemical weapons, but probably from a higher altitude.

72. An aircraft could establish a line of agent which, as it travelled downwind, would reach the ground as a vast elongated infective cloud (see chapter II). The effectiveness of such a procedure would be highly dependent on weather conditions, but the larger the area, the larger the weather front involved, the greater the chances that the predicted results would be achieved. A small relative error might, however, involve a country not in the conflict.

73. It is conceivable that bacteriological (biological) weapons, probably bomblets, could be packaged in a ballistic missile. The bomblets could be released at a predetermined altitude to burst at ground level. The effect would be the same as bomblet delivery by aircraft except that it would be more costly.

74. Unless transmitted by insects, bacteriological (biological) agents have little power to penetrate the intact skin. Infections through the respiratory tract by means of aerosols is by far the most likely route which could be used in warfare.

75. Many naturally-occurring diseases (e.g. influenza, tuberculosis) are spread by the aerosol route, and some of them, notably influenza, can generate into large epidemics. When an infected person sneezes, coughs, or even speaks, an aerosol is formed which contains particles ranging widely in size. The larger particles are usually of little importance because they fall to the ground. But small particles (3 microns or less in diameter) dry out rapidly in the air, and are the most infectious. They may remain suspended in the atmosphere for a long time. Animal experiments have shown that a great many infectious agents (including many which are transmitted otherwise in nature) can be transmitted to animals by aerosols of small particle size. Laboratory accidents and experiments on volunteers have confirmed the effectiveness of the aerosol route of infection for man.

76. If bacteriological (biological) warfare ever occurred, the aerosol technique would thus be the one most likely to be used, simply because the respiratory tract is normally susceptible to infection by many micro-organisms; because of the wide target area which could be covered in a single attack; and because ordinary hygienic measures are ineffective in preventing the airborne route of attack. Since

the particle size of an aerosol is crucial to its ability to penetrate into the lung (see chapter III for detailed discussion), the method for aerosolizing a bacteriological (biological) agent would have to be controllable so as to assure the dissemination of a large proportion of particles less than 5 microns in diameter.

77. Aerosols of bacteriological (biological) agents could be formed by three general methods. Agents could be disseminated by explosive means in much the same way as chemical agents. However, the size of the resulting particle is hard to control by this method, and much of the agent may be destroyed by the heat and shock of the exploding munition. Particles could also be formed by using pressure to force a suspension of the organisms through a nozzle. Particle size is determined by the amount of pressure, the size of the discharge orifices, the physical characteristics of the agent, and atmospheric conditions. Size control of solid particles (dry form of agent) can be achieved by "pre-sizing" before dissemination. Aerosol particles could also be produced as a spray by releasing the agent in liquid suspension into a high velocity air stream. This principle can be applied to spray devices for use on high performance aircraft.

D. DEFENCE OF MAN AGAINST CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) AGENTS

78. A comprehensive defensive system against attacks by chemical or bacteriological (biological) agents would have to provide for detection and warning, rapid identification of agents, protection of the respiratory tract and skin, decontamination, and medical prophylaxis and treatment. Some aspects of such a system could be dealt with by fairly simple equipment. Others would necessitate highly sophisticated apparatus. But the whole complex would necessitate a very effective organization manned by well-trained personnel. While military units and small groups of people could be equipped and trained to protect themselves to a significant extent, it would be impracticable for most (if not all) countries to provide comprehensive protection for their entire civil population.

1. *Medical protection*

Chemical attacks

79. No general prophylactic treatment exists which could protect against chemical attacks. Antidotes (atropine and oximes) to nerve agents are of value if administered within half an hour before or within a very short time after exposure. Atropine is itself toxic, however, and might incapacitate unexposed individuals given large doses. Skin can be protected from the vapours of blister agents by various ointments, but they are not effective against liquid contamination.

Bacteriological (biological) attacks

80. Vaccination is one of the most useful means of protecting people from natural infective disease, and the only useful means available for prophylaxis against bacteriological (biological) attacks. The protective value of vaccines against small-pox, yellow fever, diphtheria, and other diseases is fully established, although the protection they

afford can be overcome if an immunized individual is exposed to a large dose of the infectious agent concerned. It is probable, however, that even those existing vaccines which are effective in preventing natural infectious diseases might afford only limited protection against respiratory infection by an agent disseminated into the air in large amounts by a bacteriological (biological) weapon. Moreover, whole populations could not be vaccinated against all possible diseases. The development, production, and administration of so many vaccines would be enormously expensive, and some vaccines might produce undesirable or dangerous reactions in the recipients.

81. This picture is not significantly altered by certain new developments in the field of vaccination: e.g. the use of living bacterial vaccines against tularemia, brucellosis and plague; or aerosol vaccination, which is particularly relevant to vaccination of large numbers of people. There have been recent advances in the control of virus diseases, but at present none of these is practicable for the protection of large populations against bacteriological (biological) warfare.

82. Prophylaxis against some diseases can also be provided by the administration of specific anti-sera from the blood of people or animals previously innoculated with micro-organisms, or products derived from them, to increase the anti-body levels (immunity) in their blood. Tetanus anti-toxin is used in this manner, and until more effective methods replaced them, such anti-sera were used for many diseases. It would, however, be impossible to prepare specific anti-sera against all possible bacteriological (biological) agents and to make them available for large populations.

83. Other possibilities, for example the use of therapeutic materials before symptoms appear, are equally remote from practical realization. They include immune serum, gammaglobulin, or drugs such as antibiotics or sulfonamide drugs. The use of gammaglobulin to prevent, or mitigate the severity of, disease may be useful for individuals known to have been exposed. But since gammaglobulin is made by separation from human blood, stocks could never be available except for isolated cases. In theory, chemoprophylaxis (the use of drugs and antibiotics to prevent infection) might also be useful in the short term for small groups operating at especially high risk. But it would only be prudent to assume that the bacteriological (biological) agents which an enemy might use would be those which were resistant to such drugs.

2. *Detection and warning*

84. The requirement is to detect a cloud of a chemical or a bacteriological (biological) agent in the air sufficiently quickly for masks and protective clothing to be donned before the attack can be effective. Usually the objective would be to try and detect the cloud upward of the target so that all those downwind could be warned. There are also requirements for the detection of ground contamination with chemical agents and for detection equipment to enable those under attack to decide when it would be safe to remove their protective equipment.

Chemical attacks

85. In World War I it was possible to rely upon odour and colour as the primary means of alerting personnel that a chemical attack had

been launched. The newer, more toxic chemical agents cannot be detected in this way. On the other hand, presumptive evidence that such weapons had been used would none the less still be of value as warning. Once an enemy had used chemical weapons, each subsequent attack would necessarily have to be presumed to be a possible chemical attack, and protective measures would have to be instituted immediately. Individuals would have to mask not only in the air attack in which spray was used, or when there was smoke or mist from an unknown source, or a suspicious smell, or when they suffered unexpected symptoms such as a runny nose, choking and tightness in the chest, or disturbed vision, but whenever any bombardment occurred. But because of the uncertainty, it would be clearly desirable to devise and provide a system of instruments which can detect the presence of toxic chemicals at concentrations below those having physiological effects, and which would give timely and accurate warning of a chemical attack. It would also be advantageous to have test devices, collectors and analytical laboratory facilities in order to determine whether the environment was safe, as well as to identify accurately the specific chemical agent used in an attack.

86. The first and essential component of a defensive system would be an instrument which could detect low concentrations of a chemical agent. However low the concentration, a person could inhale a toxic amount in a short time because he breathes 10–20 litres of air per minute. Since the human body can eliminate or detoxify very small amounts of many toxic materials, there is no need to consider very long periods of exposure—the concern is with the exposures of only a few hours. This is often referred to technically as the Ct (concentration time) factor. Essential requirements of a method of detection suitable for use by military or civil defence personnel are that it be simple, specific, sensitive and reliable. Typical detector kits contain sampling tubes and/or reagent buttons, papers, etc. After being exposed to particular chemical agents, these detectors change colour or exhibit some other change easily observable without special instruments. Chemical detection kits could also be used to decide when it is safe to remove protective masks or other items of protective clothing. Obviously, laboratories, whether mobile or fixed, can perform more elaborate chemical analyses than can detection kits.

87. Warning devices which have been devised incorporate sensitive detectors that actuate an automatic alarm which alerts individuals to take protective action before a harmful dose of agent is received. They are of two trends: point sampling devices, which sample the air at one location by means of an air pump, and area scanning devices, which probe a specific area for chemical agents. The disadvantage of point source alarms is that they must be placed upwind of the area that has to be protected, and a rather large number may be needed. If the wind shifts, they have to be repositioned. Successful area scanning alarms have not yet been developed.

88. It must be recognized that in spite of instrumental warning systems, personnel near the point of dissemination of a chemical agent might still not have sufficient time to take protective action.

Bacteriological (biological) attacks

89. Unlike chemical weapons, bacteriological (biological) weapons cannot readily be distinguished from the biological "background" of the environment by specific chemical or physical reactions, and much lower aerosol concentrations of bacteriological (biological) agents are dangerous than of chemical agents.[14] The problem of early detection and warning is thus even more difficult than for chemical weapons. A partial solution to the problem has been achieved with certain non-specific but very sensitive physical devices such as particle-counters and protein detectors (protein is a typical constituent of micro-organisms). Presumptive evidence of a bacteriological (biological) attack might be obtained if there is an unusual deviation from the normal pattern of material in the air recorded by the instruments. The elevation of such a deviation, however, would necessitate intensive and prolonged study of the normal pattern in a given location. This subject is discussed further in annex A.

3. *Physical protection*

90. The primary objective is to establish a physical barrier between the body and the chemical and bacteriological (biological) agents, and especially to protect the skin and the respiratory tract. Without this no warning system, however effective, has the slightest value. Protection could be achieved by using various types of individual protective equipment or by means of communal shelters.

Individual protection

91. Protective masks are the first line of defence against all chemical and bacteriological (biological) agents. Although protective masks differ in appearance and design, they have certain features in common: a fitted facepiece, made of an impermeable material soft enough to achieve an effective seal against the face, and some means of holding it in place, such as a head strap, and a filter and absorption system, in canister or other form, which will remove particulate (aerosol) agents by mechanical filtration. The canister also contains activated charcoal, sometimes impregnated to react with agents in the vapour state, but which in any case will absorb toxic vapours. Some masks are made so as to permit the drinking of water while the individual is masked, or attempts at resuscitation measures on casualties without unmasking them. Civil defence masks are often less elaborate versions of the military mask. Gas proof protectors can be provided for infants.

92. A protective mask, properly fitted and in good working condition, will provide complete respiratory protection against all known chemical and bacteriological (biological) agents. However, a certain percentage of masked personnel can be expected to become casualties because of lack of training, failure to keep the mask in good condition, growth of beard, or because facial injuries prevent a good fit, etc. The amount of leakage that can be tolerated with bacteriological (biological) agents is much less because of their greater potency.

[14] The French text of this sentence reads as follows: "A la différence des armes chimiques, les armes bactériologiques (biologiques) ne peuvent être distinguées du 'fond' du milieu ambiant par des réactions chimiques ou physiques, d'autant que des concentrations d'aérosols d'agents bactériologiques (biologiques) beaucoup plus faibles que celles des agents chimiques présentent un danger égal."

93. Since mustard gases and the nerve agents of low or intermediate volatility can penetrate the unbroken skin, even through normal clothing, the whole body surface must be protected by some form of special clothing, of which there are two kinds, one which is impermeable to liquid agents, and the other which, though permeable to air and moisture, has been treated so as to prevent chemical agents from getting through. Rubber coated fabrics, made into protective suits, constitute the first, while normal clothing, treated with chlorimides or absorbents, is an example of the second. In addition, some form of impermeable cover, ground sheet or cape, can be used to protect against gross liquid contamination. Feet and hands are usually protected by special gloves, and either by boot covers or treated boots.

94. Together with a mask, protective clothing, properly worn and in good condition, will afford excellent protection against known chemical and bacteriological (biological) agents. The greatest degree of protection is provided by the impermeable type but when worn continuously it becomes very burdensome because of heat stress, particularly in warm environments. Permeable clothing allows somewhat greater activity, but even so, physical activity is impaired.

Collective or communal protection

95. Collective protection takes the form of fixed or mobile shelters capable of accommodating groups of people, and has been devised not only for civilians but also for special groups of military personnel (e.g. command posts, field hospitals). Collective protection is the most effective physical means of protection against all forms of attack. Sealing or insulating the shelter will provide protection only for a limited time, because of lack of ventilation. Sealing plus a supply of oxygen and a means of eliminating carbon dioxide is better, but once again the time of occupancy is limited. The shelter could be none the less safe even though surrounded by fire or high concentrations of carbon monoxide. The best kind of shelter provides ventilation with filtered air to maintain a positive pressure relative to that outside. This positive internal pressure prevents the penetration of airborne agents, and permits entry or exit of personnel and equipment without contamination of the interior of the shelter. Extended periods of occupancy are possible.

96. These principles of collective protection are applicable to all enclosures arranged for human or animal occupancy. They have been used to provide protection by hastily constructed or improvised field shelters, mobile vans and armoured vehicles, and permanent or fixed shelters designated for housing civilian or military personnel.

97. Once a bacteriological (biological) attack had been suspected or detected, it would be necessary to identify the specific agents involved so that proper protective measures could be taken and chemoprophylaxis and treatment planned. Identification would also help to predict the incubation period and hence the time available for remedial measures to be taken. At present the only means of identifying specific micro-organisms is by normal laboratory procedures. Many routine laboratory methods of identification require as long as two to five days, but some recent developments have reduced this time appreciably. It is possible to collect the particles from large volumes of air and concentrate them in a small amount of fluid. Bacteria can then be trapped on special filters and transferred to nutrient media, where sufficient

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growth may take place to permit identification of some kinds of bacteria within fifteen hours. Another method, the fluorescent antibody technique, can be highly specific, and is applicable to bacteria and some viruses. In some cases, it allows of specific identification within a few hours. But despite all these recent developments, laboratory identification of biological agents is still a complicated and unsatisfactory process.

4. *Decontamination*

Chemical agents

98. Prolonged exposure to weather and sunlight reduces or eliminates the danger of most chemical agents, which are slowly decomposed by humidity and rain. But one could not rely on natural degradation to eliminate the risk and, in general, it would be essential to resort to decontamination. This would reduce the hazard but it is a time-consuming process and would greatly hamper military operations.

99. A wide range of chemicals could be used as decontaminants, the choice depending on the particular agent which has to be neutralized, the type of surface that needs to be treated, the extent of contamination, and the amount of time available. Decontaminants range from soap and detergent in water, to caustic soda, hypochlorite and various organic solvents, and their successful use calls for large numbers of people, a copious supply of water, and appropriate equipment.

100. Decontaminating solutions, powders, applicators and techniques have been developed for decontaminating skin, clothing, personal equipment and water. These would need to be used immediately after an attack.

101. Unless food had been stored in metal cans or other containers which were impermeable to chemical agents, it would have to be destroyed. Decontamination of complex equipment and vehicles is a difficult and time-consuming procedure. Special pressurized sprayers to disseminate powdered and liquid decontaminants have been developed for this purpose, as have paints or coatings to provide a smooth impermeable surface to preclude the penetration of chemical agents.

102. Decontamination might even need to be extended to roads and selected areas. This would involve the removal of contaminated soil by bulldozing, or covering it with earth, using explosives to spread a powdered decontaminant over a wide area.

Bacteriological (biological) agents

103. Decontamination procedures for biological agents are similar to those used for toxic chemical agents. Aeration and exposure to strong sunlight will destroy most micro-organisms, as will also exposure to high temperatures. Thoroughly cooking exposed food, and boiling water for at least fifteen minutes will kill almost all relevant micro-organisms. Calcium hypochlorite and chlorine can also be used to purify water. Certain chemical compounds, such as formaldehyde, ethylene oxide, calcium and sodium hypochlorites, sodium hydroxide and betapropiolactone, can be used to decontaminate materials and work areas. A hot, soapy shower is the best way to decontaminate human beings.

E. PROTECTION OF DOMESTIC ANIMALS AND PLANTS AGAINST CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) ATTACKS

1. *Chemical attacks*

104. The widespread protection of domestic animals and plants from chemical attack would be impracticable. Once a crop had been attacked with herbicides there is no effective remedial action. The damage could be made good only by a second planting of either the same or another crop, depending on the season.

2. *Bacteriological (biological) attacks*

Animals

105. Animals or flocks could be protected by collective shelters, although the cost would be great and, in the absence of automatic warning devices, it would be impossible to assure that the creatures would be sheltered at the time of attack.

106. The ideal means of protection for animals would be vaccination. Vaccines have been developed, and many are routinely produced, for foot-and-mouth disease, rinderpest, anthrax, Rift Valley fever, hog cholera, Newcastle disease and others. Vaccination of animal herds by aerosols is a promising area of investigation.

Plants

107. The only hopeful approach would be to breed disease resistant plants. This is a regular part of most national agricultural programmes, and has as its object the increase of crop yields. But unless the exact identity of the bacteriological (biological) agent which might be used were known well in advance (possibly years), it would not be feasible to apply this principle to provide protection to crops against this kind of attack.

108. Efforts devoted to spraying fungicides and similar preparations to reduce loss after attack do not appear to be economically effective. In most cases the best procedure is to utilize available manpower and machines in planting second crops.

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CHAPTER V

Economic and Security Implications of the Development, Acquisition and Possible Use of Chemical and Bacteriological (Biological) Weapons and Systems of Their Delivery

A. INTRODUCTION

337. Previous chapters have revealed the extent to which developments in chemical and biological science have magnified the potential risks associated with the concept of chemical or bacteriological (biological) warfare. These risks derive not only from the variety of possible agents which might be used, but also from the variety of their effects. The doubt that a chemical or bacteriological (biological) attack could be restricted to a given area means that casualties could occur well outside the target zone. Were these weapons used to blanket large areas and cities, they would cause massive loss of human life,

affecting non-combatants in the same way as combatants, and in this respect, they must clearly be classified as weapons of mass destruction. The report has also emphasized the great problems and cost which would be entailed in the provision of protection against chemical and bacteriological (biological) warfare. It is the purpose of this final chapter to explore in greater depth the economic and security implications of matters such as these.

B. PRODUCTION

1. *Chemical weapons*

338. It has been estimated that during the course of the First World War, at a time when the chemical industry was in a relatively early stage of development, about 180,000 tons of chemical agents were produced, of which more than 120,000 tons were used in battle. With the rapid development of the industry since then, there has been an enormous growth in the potential capacity to produce chemical agents.

339. The scale, nature, and cost of any programme for producing chemical weapons, and the time needed to implement it, would clearly be largely dependent on the scientific, technical and industrial potential of the country concerned. It would depend not only on the nature of the chemical industry itself, and on the availability of suitably trained engineers and chemists, but also on the level of development of the chemical engineering industry and of the means of automating chemical processes, especially where the production of highly toxic chemical compounds is involved. Whatever the cost of developing a chemical or bacteriological (biological) capability, it needs to be realized that it would be a cost additional to, and not a substitute for, that of acquiring an armoury of conventional weapons. An army could be equipped with the latter without having any chemical or bacteriological (biological) weapons. But it could never rely on chemical or bacteriological (biological) weapons alone.

340. Today a large number of industrialized countries have the potential to produce a variety of chemical agents. Many of the intermediates required in their manufacture, and in some cases even the agents themselves, are widely used in peace time. Such substances include, for example, phosgene, which some highly developed countries produce at the rate of more than 100,000 tons a year and which is commonly used as an intermediate in the manufacture of synthetic plastics, herbicides, insecticides, paints and pharmaceuticals. Another chemical agent, hydrocyanic acid, is a valuable intermediate in the manufacture of a variety of synthetic organic products and is produced in even greater quantities. Ethylene-oxide, which is used in the manufacture of mustard gases, is also produced on a large scale in various countries. It is a valuable starting material in the production of a large number of important substances, such as detergents, disinfectants and wetting agents. The world production of ethylene-oxide and propylene-oxide is now well in excess of 2 million tons per year. Mustard gas and nitrogen mustard gases can be produced from ethylene-oxide by a relatively simple process. Two hundred and fifty thousand tons of ethylene-oxide would yield about 500,000 tons of mustard gas.

341. The production of highly toxic nerve agents, including organophosphorus compounds, presents problems which, because they are relatively difficult, could be very costly to overcome. To a certain extent this is because of the specialized safety precautions which would be needed to protect workers against these very poisonous substances, a need which, of course, applies to all chemical agents, especially to mustard gas. However, many intermediates used in the manufacture of nerve agents have a peacetime application: for example, dimethylphosphite, necessary for the production of Sarin, is used in the production of certain pesticides. But even leaving operating expenses aside, the approximate cost of acquiring one plant complex to produce munitions containing up to 10,000 tons of Sarin a year would be about $150 million. The cost would, of course, be considerably less if existing munitions could be charged with chemical agents.

342. A country which possessed a well-developed chemical industry could clearly adapt it to produce chemical agents. But were it to embark on such a step, it would be only the beginning. The establishment of a comprehensive chemical warfare capability would also involve special research centres, experimental test grounds, bases, storage depots and arsenals. The development of sophisticated and comprehensive weapons systems for chemical or bacteriological (biological) warfare would be a very costly part of the whole process. None the less, the possibility that a peacetime chemical industry could be converted to work for military purposes, and of chemical products being used as weapons, increases the responsibility of Governments which are concerned to prevent chemical war from ever breaking out.

2. *Bacteriological (biological) weapons*

343. The microbiological expertise necessary to grow agents of bacteriological (biological) warfare exists to a large extent in many countries, since the requirements are similar to those of a vaccine industry and, to a lesser extent, a fermentation industry. Apart from the combination of the highly developed technologies of these two industries, there remains only a need for some specialized knowledge, expertise and equipment to permit the safe handling of large quantities of bacteriological (biological) agents. Consequently, existing facilities in the fermentation, pharmaceutical and vaccine industries could be adapted for the production of bacteriological (biological) agents. But the technological complexities of producing bacteriological (biological) agents in dry powder form are very much greater than for wet spray systems. Moreover, it would be desirable to provide an effective vaccine with which to protect production staff. The technical difficulties would increase with the scale and complexity of the weapons systems that were being developed. But the fact remains that any industrially advanced country could acquire whatever capability it set out to achieve in this field.

344. The difficulty and cost of providing for the transport and storage of bacteriological (biological) weapons are considerable, since special storage conditions, e.g., refrigeration, and stringent safety and security precautions are essential. In addition, testing to determine the potential effectiveness of the material produced would require

considerable and costly testing facilities both in the laboratory and in the field.

345. Despite the fact that the development and acquisition of a sophisticated armoury of chemical and bacteriological (biological) weapons systems would prove very costly in resources, and would be dependent on a sound industrial base and a body of well-trained scientists, any developing country could in fact acquire, in one way or another, a limited capability in this type of warfare—either a rudimentary capability which it developed itself, or a more sophisticated one which it acquired from another country. Hence, the danger of the proliferation of this class of weapons applies as much to developing as it does to developed countries.

C. DELIVERY SYSTEMS

346. Practically all types of explosive munitions (artillery shells, mines, guided and unguided rockets, serial bombs, landmines, grenades, etc.) can be adapted for the delivery of chemical agents. A modern bomber, for example, can carry about fifteen tons of toxic chemical agents, and it is estimated that only 250 tons of V-gas, an amount which could be delivered by no more than fifteen or sixteen aircraft, is enough to contaminate a great city with an area of 1,000 square kilometres and a population of 7 to 10 million. Were such a population mainly in the open and unprotected, fatal casualties might reach the level of 50 per cent.

347. Existing armaments, which (with some modification) could be used to deliver agents in order to generate local outbreaks of disease, could also contaminate large areas with pathogens. For example, a single aircraft could cover with a bacteriological (biological) agent an area of up to 100,000 square kilometres, although the area of effective dosage might be much smaller due to loss of the infectivity of the airborne agent.

348. While the development and production costs of chemical and bacteriological (biological) agents might well be high, the cost of the complete weapons system (see chapter I) would be even greater. The cost of developing, procuring and operating a squadron of modern bombers far outweighs the cost of the bombs it could carry. However, for some purposes, an existing weapon system or a far less sophisticated means of disseminating might be used.

D. PROTECTION

349. The measures which would be required to protect a population, its livestock and plants against chemical or bacteriological (biological) attack are immensely costly and complex (chapter I). At present, warning systems for the detection of aerosol clouds are fairly rudimentary. Systems for the detection of specific chemical and bacteriological (biological) agents might be devised, but again they are likely to prove very expensive, if indeed they are feasible.

350. With certain agents, contamination of the environment, for example of buildings and soil, could persist for several days or weeks. Throughout this period people would be exposed to the risk of contamination by contact and by inhalation. Protective clothing, even if

adequately prefabricated and distributed or improvised, would make it difficult to carry on with normal work. The prolonged wearing of respirators causes physiological difficulties, and it would prove necessary to provide communal shelters with air filtration and ventilations systems for civil populations. Shelters would be extremely costly to build and operate, and a programme for their construction would constitute a heavy burden on the economy.

351. Even if protective measures were provided against known agents, it is conceivable that new ones might be developed whose physical or chemical properties would dictate a need for new individual and communal protective equipment. This could constitute an even greater economic burden.

352. Defensive measures, especially against chemical agents, would also have to include the extremely laborious and expensive task of decontaminating large numbers of people, as well as equipment, weapons and other materials. This would mean setting up decontamination centres and training of people in their use. Stocks of decontaminating agents and replacement clothing would also be required.

353. A very important part of a defence system against chemical or bacteriological (biological) weapons would be the means of very rapidly detecting an attack and identifying the specific agent used in an attack. Methods for doing this rapidly and accurately are still inadequate. Specific protection against bacteriological (biological) agents would necessitate the use of vaccines and perhaps antibiotics (see annex C of chapter II). Vaccines vary in their effectiveness, even against naturally-occurring infections, and even those which are highly effective in natural circumstances may not protect against bacteriological (biological) agents deliberately disseminated into the air and inhaled into the lungs. Antibiotics used prophylactically are a possible means of protection against bacteria and rickettsiae but not against viruses. But the large and complex problems of their use in large populations would be all but insuperable.

354. It would be extremely difficult to arrange for the medical treatment of a civilian population which had been attacked with chemical or bacteriological (biological) weapons. Mobile groups of specialists in infectious disease, of microbiologists, and of well-trained epidemiologists, would have to be organized to provide for early diagnosis and treatment, while a network of reserve hospitals and a massive supply of drugs would have to be prepared in advance. The maintenance of a stockpile of medical supplies is extremely costly. Many drugs, especially antibiotics, deteriorate in storage. Huge amounts would have to be discarded as useless from time to time, and the stock would have to be replenished periodically.

E. COST TO SOCIETY

355. The extent to which the acquisition, storage, transport and testing of chemical and bacteriological (biological) munitions would constitute an economic burden, would depend on the level of a country's industrial and military capability, although compared to nuclear weapons and advanced weapons systems in general, it might not seem excessive. But the task of organizing delivery systems and deployment on a large or sophisticated scale could well be economically

disastrous for many countries. Moreover the preparation of an armoury of chemical and bacteriological (biological) weapons would constitute a possible danger to people in the vicinity of production, storage and testing facilities.

356. Chemical and bacteriological (biological) attacks could be particularly dangerous in towns and densely populated areas, because of the close contacts between individuals, and because of the centralized provision of services for every day necessities and supply (services, urban transport networks, trade, etc.). The consequences might also be particularly serious in regions with a warm, moist climate, in low lying areas, and in areas with poorly developed medical facilities.

357. The technical and organizational complexity, as well as the great financial cost, of providing adequate protection for a population against attack by chemical and bacteriological (biological) agents have already been emphasized. The costs would be formidable by any standards. The construction of a system of fall-out shelters to protect only part of the population of one large and highly developed country against nuclear weapons has been estimated at no less than $5,000–$10,000 million. Such shelters could be modified, at a relatively modest additional cost, to provide protection against chemical and bacteriological (biological) weapons. To construct communal shelters for a corresponding part of the population against chemical and bacteriological (biological) weapons alone would cost much the same as protection against nuclear fall-out. If all other necessary related expenditures are considered—such as detection and warning systems, communications, and medical aid—the total costs of civil defence against chemical and bacteriological (biological) agents would be greater than $15,000–$25,000 million for a developed country of 100–200 million people. But even if such a programme were ever planned and implemented, there could be no assurance that full protection could be achieved.

358. For whatever its cost, no shelter programme could provide absolute protection against attack by chemical or bacteriological (biological) agents. Protective measures would be effective only if there were adequate warning of an attack, and if civil defence plans were brought into operation immediately and efficiently. However many shelters were available, the likelihood would be that large numbers of people would be affected to varying degrees, and would be in urgent need of medical attention, and once hostilities had ceased, that there would be large numbers of chronic sick and invalids, requiring care, support and treatment, and imposing a heavy burden on a society already disorganized by war.

359. It is almost impossible to conceive of the complexity of the arrangements which would be necessary to control the consequences of a large-scale bacteriological (biological) attack. Even in peacetime, the development of an epidemic of a highly contagious disease started by a few individual cases, introduced from abroad, necessitates enormous material expenditure and the diversion of large numbers of medical personnel. Examples of widespread disruption due to a few smallpox contacts are given in chapter II. No estimates are given of the actual costs involved in dealing with these events, but in

some cases they must have run into millions of dollars. Large-scale bacteriological (biological) attacks could thus have a serious impact on the entire economy of the target country and, as is observed in chapter II, depending on the type of agent used, the disease might well spread to neighboring countries.

360. Whatever might be done to try to save human beings, nothing significant could be done to protect crops, livestock, fodder and foodstuffs from a chemical and bacteriological (biological) weapons attack. Persistent chemical agents could constitute a particular danger to livestock.

361. Water in open reservoirs could be polluted as a result of deliberate attack, or perhaps accidentally, with chemical or bacteriological (biological) weapons. The water supply of large towns could become unusable, and rivers, lakes and streams might be temporarily contaminated.

362. Enormous damage could be done to the economy of a country whose agricultural crops were attacked with herbicides. For example, only ten to twenty grammes per hectare of 2, 4D could render a cotton crop completely unproductive (see annex A). Fruit trees, grape vines and many other plants could also be destroyed. Mixtures of 2, 4D, of 2, 4, 5T and picloram are particularly potent. The chemical known as paraquat can destroy virtually all annual plants, including leguminous plants, rice, wheat and other cereals. Arsenic compounds dessicate the leaves of many crops and make them unusable as food. There are no means known at present of regenerating some of the plants which are affected by herbicides. Experience has shown, however, that in the case of some species, either natural or artificial seeding can easily produce normal growth in the next growing season. But the destruction of fruit trees, vines and other plants, if achieved could not be overcome for many years. For most practical purposes, it would be impossible to prevent the destruction of cultivated plants on which herbicides have been used, and depending on a country's circumstances, widespread famine might follow.

363. If the induced disease were to spread, bacteriological (biological) weapons could affect even more extensive agricultural areas. The effect would however be more delayed and more specific to the crops affected. Annex A gives examples of the extent of the decrease in a wheat harvest and in a rice harvest affected by blast. The uredospores of the rust are easily transported by air currents so that down-wind sections would be affected by rust to a considerable distance, with a corresponding sharp reduction in the crop, while the upwind sections gave a good yield.

364. Over and above all these possible effects of chemical and bacteriological (biological) warfare on farm animals and crops is the possibility discussed in the previous chapter, of widespread ecological changes due to deleterious changes brought about in wild fauna and flora.

F. THE RELEVANCE OF CHEMICAL AND BACTERIOLOGICAL (BIOLOGICAL) WEAPONS TO MILITARY AND CIVIL SECURITY

365. The comparison of the relative effectiveness of different classes of weapons is a hazardous and often futile exercise. The major

difficulty is that from the military point of view, effectiveness cannot be measured just in terms of areas of devastation or of numbers of casualties. The final criterion would always be whether a specific military purpose had been more easily achieved with one rather than another set of weapons.

366. Clearly, from what has been said in the earlier chapters of this report, chemical weapons could be more effective than equivalent weights of high explosive when directed against densely populated targets. Similarly, so far as mass casualties are concerned, bacteriological (biological) weapons could, in some circumstances, have far more devastating effects than chemical weapons, and effects which might extend well beyond the zone of military operations.

367. From the military point of view, one essential difference between anti-personnel chemical and bacteriological (biological) weapons on the one hand, and a conventional high explosive weapon on the other (including small arms and the whole range of projectiles), is that the area of the effects of the latter is more predictable. There are, of course, circumstances where, from the point of view of the individuals attacked, an incapacitating gas would be less damaging than high explosives. On the other hand, whereas military forces can, and do, rely entirely upon conventional weapons, no country, as already observed, could entrust its military security to an armoury of chemical and bacteriological (biological) weapons alone. The latter constitute only one band in the spectrum of weapons.

368. As previous chapters have also shown, neither the effectiveness nor the effects of chemical and bacteriological (biological) weapons can be predicted with assurance. Whatever military reasons might be advanced for the use of these weapons, and whatever their nature, whether incapacitating or lethal, there would be significant risk of escalation, not only in the use of the same type of weapon but also of other categories of weapons systems, once their use had been initiated. Thus, chemical and bacteriological (biological) warfare could open the door to hostilities which could become less controlled, and less controllable, than any war in the past. Uncontrollable hostilities cannot be reconciled with the concept of military security.

369. Since some chemical and bacteriological (biological) weapons constitute a major threat to civilian populations and their food and water supplies, their use cannot be reconciled with general national and international security. Further, because of the scale and intensity of the potential effects of their use, they are considered as weapons of mass destruction. Their very existence thus contributes to international tension without compensating military advantages. They generate a sense of insecurity not only in countries which might be potentially belligerent, but also in those which are not. Neutral countries could be involved through the use of chemical and bacteriological (biological) weapons, especially those whose territories bordered on countries involved in conflict in the course of which chemical and bacteriological (biological) casualties had been suffered by garrisons and civilians close to frontiers. The effects of certain bacteriological (biological) weapons used on a large scale might be particularly difficult to confine to the territory of a small country. Large-scale chemical and bacteriological (biological) agents and chemical agents might be

used for acts of sabotage. Such events might occur as isolated acts, even carried out in defiance of the wishes of national leaders and military commanders. The continued existence and manufacture of chemical weapons anywhere may make such occurrences more likely.

370. Obviously any extensive use of chemical weapons would be known to the country attacked. The source of the attack would probably also be known. On the other hand, it would be extremely difficult to detect isolated acts of sabotage in which bacteriological (biological) weapons were used, especially if the causative organism were already present in the attacked country. Because of the suspicions they would generate, acts of sabotage could thus provoke a conflict involving the widespread use of chemical and bacteriological (biological) weapons.

Conclusion

371. All weapons of war are destructive of human life, but chemical and bacteriological (biological) weapons stand in a class of their own as armaments which exercise their effects solely on living matter. The idea that bacteriological (biological) weapons could deliberately be used to spread disease generates a sense of horror. The fact that certain chemical and bacteriological (biological) agents are potentially unconfined in their effects, both in space and time, and that their large-scale use could conceivably have deleterious and irreversible effects on the balance of nature adds to the sense of insecurity and tension which the existence of this class of weapons engenders. Considerations such as these set them into a category of their own in relation to the continuing arms race.

372. The present inquiry has shown that the potential for developing an armoury of chemical and bacteriological (biological) weapons has grown considerably in recent years, not only in terms of the number of agents, but also in their toxicity and in the diversity of their effects. At one extreme, chemical agents exist and are being developed for use in the control of civil disorders; and others have been developed in order to increase the productivity of agriculture. But even though these substances may be less toxic than most other chemical agents, their ill-considered civil use, or use for military purposes could turn out to be highly dangerous. At the other extreme, some potential chemical agents which could be used in weapons are among the most lethal poisons known. In certain circumstances the area over which some of them might exercise their effects could be strictly confined geographically. In other conditions some chemical and bacteriological (biological) weapons might spread their effects well beyond the target zone. No one could predict how long the effects of certain agents, particularly bacteriological (biological) weapons might endure and spread and what changes they could generate.

373. Moreover, chemical and bacteriological (biological) weapons are not a cheap substitute for other kinds of weapon. They represent an additional drain on the national resources of those countries by which they are developed, produced and stockpiled. The cost cannot of course be estimated with precision; this would depend on the potential of a country's industry. To some the cost might be tolerable; to others it would be crippling, particularly, as has already been shown, when account is taken of the resources which would have to be diverted

to the development of testing and delivery systems. And no system of defence, even for the richest countries in the world, and whatever its cost, could be completely secure.

374. Because chemical and bacteriological (biological) weapons are unpredictable, in varying degree, either in the scale or duration of their effects, and because no certain defence can be planned against them, their universal elimination would not detract from any nation's security. Once any chemical or bacteriological (biological) weapon had been used in warfare, there would be a serious risk of escalation, both in the use of more dangerous weapons belonging to the same class, and of other weapons of mass destruction. In short, the development of a chemical or bacteriological (biological) armoury, and a defence, implies an economic burden without necessarily imparting any proportionate compensatory advantage to security. And at the same time it imposes a new and continuing threat to future international security.

375. The general conclusion of the report can thus be summed up in a few lines. Were these weapons ever to be used on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live. This overriding danger would apply as much to the country which initiated the use of these weapons as to the one which had been attacked, regardless of what protective measures it might have taken in parallel with its development of an offensive capability. A particular danger also derives from the fact that any country could develop or acquire, in one way or another, a capability in this type of warfare, despite the fact that this could prove costly. The danger of the proliferation of this class of weapons applies as much to the developing as it does to developed countries.

376. The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.

377. If this were to happen, there would be a general lessening of international fear and tension. It is the hope of the authors that this report will contribute to public awareness of the profoundly dangerous results if these weapons were ever used, and that an aroused public will demand and receive assurances that Governments are working for the earliest effective elimination of chemical and bacteriological (biological) weapons.

News Conference Remarks by Secretary of State Rogers: Proposed Strategic Arms Limitation Talks [Extracts], July 2, 1969 [1]

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Turning now to the SALT talks, I want to lay to rest speculation by some that this administration has been dragging its feet on the strategic arms limitation talks. This is not the fact. The United States will enter into the strategic arms limitation talks with the hope that they will provide an opportunity for progress in halting the arms race, in limiting international tension, and, most hopefully, building an international structure aimed at a more peaceful and secure world.

By the same token, since the terms of reference of the arms limitation talks go to the heart of the security of the American people and that of our allies, the administration has the responsibility to approach the talks carefully and after a thorough review of the issues at stake. This has been our approach and will continue to be our approach.

We do believe, though, that there may be a mutuality of interest between the United States and the Soviet Union in halting the arms race; and in that hope and with the thought that we may be presented with an unusual opportunity to make progress in this area by negotiations rather than confrontation, we are looking forward to the beginning of these talks.

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Q. Mr. Secretary, there has been some suggestion in various speculative reports that the Soviets may be less eager to go ahead with SALT talks now. In that connection, some have mentioned the possibility that the President's trip to Romania may be taken amiss by them. How do we know? How can we be sure?

A. Well, I guess the only way we can be sure is by what they say. So far they have not indicated anything along that line at all. As a matter of fact, Mr. Dobrynin seemed to be very pleased when we talked about the beginning of the talks. I think he talked to some of the press about his pleasure. And we have seen nothing since that time that would suggest that there is any lack of interest on their part to proceed with the talks.

Q. Have we had any response yet to the suggestion that we would be ready as of July 31st?

A. No, we have not yet.

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[1] *Department of State Bulletin*, July 21, 1969, pp. 41, 44.

Message From President Nixon to the Eighteen Nation Disarmament Committee, July 3, 1969 [1]

I have followed closely the activities of the spring session of the Disarmament Committee, and Ambassador Smith has reported to me on the prospects for progress in the near future.

As the conference resumes its work after a recess of six weeks, I would like to address the following thoughts to the members of the committee:

First, the ground has been prepared for concrete arms control negotiations. In addition to the valuable suggestions by many members of the committee, draft agreements have been submitted by the United States and by the Soviet Union to prevent an arms race on the seabeds.[2] Although differences exist, it should not prove beyond our ability to find common ground so that a realistic agreement may be achieved that enhances the security of all countries.

The framing of an international agreement to apply to more than 100 million square miles of the earth's surface lying under the oceans is a high challenge to our vision and statesmanship. I ask the participants in this committee to join with us in elaborating a measure that is both practical and significant. With goodwill on all sides and a fair measure of hard work, we may achieve agreement in the course of this session. With each passing day the seabed becomes more important for the security and well-being of all nations. Our goal should be to present a sound seabed arms control measure to the General Assembly of the United Nations.

Second, the Secretary-General of the United Nations is issuing a study on the effects of chemical and biological warfare.[3] Experts from many countries have contributed to this important work. I am pleased that an expert from the United States, Dr. Ivan Bennett, has also played a role in the study. We welcome the Secretary-General's study, since it will draw the attention of all mankind to an area of common concern. The specter of chemical and biological warfare arouses horror and revulsion throughout the world.

The delegation of the United States is prepared to examine carefully, together with other delegations, any approaches that offer the prospect of reliable arms control in this field.

Third, in my letter to Ambassador Smith on March 18 at the opening of the first session of this committee,[4] I reaffirmed United States support for the conclusion of a comprehensive test ban adequately verified; I stated my conviction that efforts must be made toward greater understanding of the verification issue. I am pleased that, during your first session, serious exploration of verification problems took place. The United States delegation will be prepared to continue to participate in efforts towards greater understanding of this key issue. It is only by means of careful study, with due regard for

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[1] ENDC/253, July 23, 1969.
[2] *Ante*, pp. 112–113, 211–213.
[3] *Supra*.
[4] *Ante*, pp. 109–110.

all of the relevant technical and political considerations, that progress can be made.

Fourth, I recently announced that the United States hopes to be able to commence talks with the Soviet Union on strategic arms limitations around July 31 or shortly thereafter.[5] When these talks begin, which I hope and trust will be soon, they will of necessity be bilateral negotiations between the United States and the Soviet Union. The United States Government is, however, deeply conscious of its responsibilities to its allies and to the community of nations.

While these talks progress, it is particularly important that multilateral negotiations continue in this committee in an atmosphere of determination and promise. Arms control is without dispute a subject of direct concern to all nations, large and small. The wisdom, the advice, and the informed concern of many nations are needed in a continuing body such as this to ensure that no opportunities are missed to achieve genuine progress.

This committee clearly is the world's preeminent multilateral disarmament forum. Its record of accomplishment, which needs no recital here, is greater than that of any other disarmament committee in history. I trust that your committee will continue its efforts with all of the combined skill and dedication which its members have demonstrated in the past.

The negotiation of sound arms control and disarmament, like all work contributing to peace, must be an integrated and comprehensive effort. Progress in the tasks of your committee will be a contribution to a world of peaceful international co-operation, a world where fear and conflict are supplanted by the honest give-and-take of negotiation aimed at meeting the legitimate aspirations of all.

The United States will work in every way to bring us closer to such a world.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee, July 3, 1969 [1]

23. Today the Committee on Disarmament is resuming its work. We are beginning the negotiations at the present session with a broader composition than before. To the participants in the Committee there have been added two States—The Mongolian People's Republic and Japan. In this connexion allow me, on behalf of the Soviet delegation and on my own behalf, to welcome among us the distinguished representative of the Mongolian People's Republic, Ambassador Dugersuren, and the distinguished representative of Japan, Ambassador Asakai, and to wish them every success in the course of solving disarmament problems. We express the hope that the participation of the delegations of the Mongolian People's Republic and Japan in the work of the Committee will contribute to the

[5] *Ante*, p. 254.
[1] ENDC/PV. 416, pp. 11–17.

fulfilment of the important and responsible tasks facing our Conference.

24. It is well known that the Mongolian People's Republic, consistently pursuing a peaceful foreign policy, is making a substantial contribution to the cause of disarmament and the easing of international tension. It has ratified the Treaty on the Non-Proliferation of Nuclear Weapons,[2] actively supports all constructive proposals aimed at solving urgent disarmament problems, and has itself more than once taken a valuable initiative with the object of contributing towards ending the arms race and ensuring international security. In the statement which the representative of the Mongolian People's Republic, Ambassador Dugersuren, made today at the open meeting of the Committee, he reaffirmed the determination and endeavor of his country to do everything possible to ensure progress in achieving agreement on the disarmament questions that are ripe for solution, and to contribute to the success of our work.

25. We are also aware of the great interest shown in the problems of disarmament by Japan, a country which is playing an important role in international affairs. We are gratified to note in the statement made by the representative of Japan, Ambassador Asakai, at today's open meeting and in the message from the Prime Minister of Japan, Mr. Sato, which he read out to us, the intention of his country to contribute to the achievement of agreements on the questions with which our Committee on Disarmament is to deal.

26. Allow me also to welcome the newly-appointed head of the United States delegation, Ambassador Leonard, and to wish him success in carrying out the functions of head of his country's delegation and co-Chairman of the Committee on Disarmament. We also welcome the representative of the Secretary-General, Mr. Protitch, and his colleagues, who carry out the very important function of assisting our Committee in its work.

27. Today, when the Committee on Disarmament is resuming its work, we are faced once again with a wide range of important and crucial problems awaiting solution. In present-day conditions, when the arms race is increasing its momentum and international tension continues unabated, it is particularly important that at the present session our Conference should make a good start in its work and move forward in solving the questions facing it. The adoption of measures designed to avert the threat of nuclear war and put a stop to the dangerous arms race in all spheres has been and continues to be the main task which our Committee on Disarmament is called upon to carry out.

28. As in the past, the Soviet Union intends to exert every effort to achieve the speediest possible solution of urgent disarmament questions. When we speak in favour of solving disarmament questions, we start from the premise that today a stable peace is not a utopia but a fully attainable goal. There exist in the world today powerful social and political forces which oppose war and are in favour of lessening tension and broadening international cooperation. The action of these forces obviates the inevitability of a new world war

[2] *Documents on Disarmament, 1968*, pp. 461–465.

and creates a genuine possibility of realizing the aspirations of the peoples for peace. The conclusion of the Treaty banning nuclear tests in three environments [3] and the Treaty on the non-proliferation of nuclear weapons shows that, when the proper efforts are made, concrete results can be achieved in the cause of disarmament and of preserving and consolidating peace.

29. During the session of the Committee on Disarmament last spring a number of questions were considered. The attention of the Committee was devoted primarily to the prohibition of the use of the sea-bed and the ocean floor for military purposes, the discontinuance of underground nuclear weapon tests, the prohibition of the use of such weapons and the question of chemical and bacteriological weapons. The consideration of those problems was not completed. It did not lead to the elaboration of agreed documents. It is our task to continue the consideration of those and of other disarmament questions with a view to the preparation by the Committtee of appropriate draft agreements for submission to the General Assembly of the United Nations.

30. As regards individual disarmament problems among the aforementioned ones considered at the previous session of the Committee, it must be noted that considerable attention was devoted to preventing the use of the sea-bed and the ocean floor for military purposes. At the beginning of the last session of the Committee the Soviet Union submitted a draft treaty providing for the prohibition of all military activities on the sea-bed.[4] This solution of the problem of military activities on the sea-bed and the ocean floor was supported by many members of the Committee. Nevertheless, the United States and the other Western Powers participating in the Committee's work did not agree to the prohibition of all military activities in that environment. At the end of the Committee's session the United States submitted a draft treaty with a view to a partial solution of this problem, namely the prohibition of the emplacement on the sea-bed and the ocean floor of weapons of mass destruction and their means of delivery.[5] The Soviet delegation believes that that partial solution of the problem is inadequate because it cannot ensure a definitive and complete solution of the problem of preventing the arms race spreading to the sea-bed and the ocean floor. We are convinced that it would be much more effective to adopt a different approach which would ensure a radical solution of this problem, namely complete demilitarization of the sea-bed.

31. Many representatives stressed in their statements the need to undertake effective measures in this field before the arms race gets fully under way in this sphere of human activity which is only now being opened up. It behooves our Committee to carry out this task. In elaborating a draft treaty on the sea-bed, a number of important questions requiring agreement arise, namely: the scope of the prohibition, the definition of the geographical area covered by the treaty, the establishment of a system of control over compliance by States with the provisions of the treaty, and so on. We express the hope that the solution of these questions will not encounter insuperable difficul-

[3] *Ibid., 1963*, pp. 291–293.
[4] *Ante*, pp. 112–113.
[5] *Ante*, pp. 211–213.

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ties and that a draft treaty to prevent the use of the sea-bed for military purposes will be elaborated at the present session of the Committee and then submitted to the General Assembly of the United Nations. The conclusion of such a treaty would have a positive influence on the solution of other disarmament problems and would contribute to improving the international situation as a whole.

32. There is no doubt that the most important problem in the field of disarmament continues to be that of solving nuclear disarmament questions, including the discontinuance of underground nuclear weapon tests and the prohibition of the use of such weapons. We should like to emphasize once again that the question of the discontinuance of underground nuclear tests is ripe for solution both at the political level and from the point of view of the technical feasibility of control over such a ban by national means of detection and identification. Basing ourselves on this position, we are prepared, as before, to agree to the discontinuance of underground nuclear tests. We should like to hope that the Western Powers will be able to reconsider their demand for international inspections in order to exercise control over the prohibition of underground nuclear tests.

33. A considerable part of the discussion at the previous session of the Committee was taken up by the problem of prohibiting the use of nuclear weapons. In regard to this problem, however, the Western Powers—the United States and the United Kingdom—spoke from negative positions, which do not allow any progress to be made towards the solution of this question. The task consists of once again exploring all possibilities and exerting efforts for the speediest possible solution of these important questions relating to nuclear disarmament. It would be wrong to confine ourselves to noting the divergencies in the positions of States on the aforesaid questions and to abandon any further search for their solution.

34. Alongside the aforementioned questions the Committee also considered the problem of the complete prohibition of nuclear weapons, including the prohibition of their production and stockpiling, and their withdrawal from the arsenals of States. So long as nuclear weapons exist, their prohibition and elimination will remain invariably the most important problem in the field of disarmament. Closely linked with the solution of this problem is the development of the peaceful utilization of nuclear energy, which opens up before mankind wide prospects of technical and economic progress. Taking into account the importance of this problem, the Soviet Government proposed in its Memorandum of 1 July 1968 that all the nuclear Powers should initiate immediately negotiations on the discontinuance of the production of nuclear weapons, the reduction of stockpiles and the subsequent complete prohibition and elimination of nuclear weapons under appropriate international control.[6]

35. At its spring session the Committee also discussed the question of chemical and bacteriological weapons, a question which attracted considerable attention on the part of the members of the Committee. Indeed, this is understandable. Chemical and bacteriological weapons have a tremendous lethal power and are means of mass destruction of

[6] *Documents on Disarmament, 1968*, pp. 466–470.

people. Our task is to ban these weapons altogether and to eliminate them from the military arsenals of States. A first step along this path should be the greatest possible reinforcement of the 1925 Geneva Protocol prohibiting the use of chemical and bacteriological weapons.[7] This reinforcement is to be achieved first of all through accession to the Protocol—which reflects an important standard of international law and played a positive role during the Second World War—by those States which so far are not parties to this Protocol.

36. The Committee on Disarmament must continue to explore the question of the prohibition of chemical and bacteriological weapons, bearing in mind the need to obtain the fullest possible solution of this problem. We hope that the Secretary-General's report on the effects of the use of these types of weapons,[8] prepared under General Assembly resolution 2454 A (XXIII),[9] will facilitate progress in this direction.

37. The Committee also considered other problems of disarmament. Many delegations devoted considerable attention to the problem of general and complete disarmament. Our delegation expressed its views on this important problem, basing itself on the urgency of a solution. We hope that the present session of the Committee will continue to discuss the problem of general and complete disarmament with a view to giving the negotiations on this question more concrete forms which would help progress to be made in solving it. We also hope that progress in elaborating and agreeing upon partial measures of disarmament will create favourable opportunities for the solution of wider disarmament problems.

38. That, briefly, is the situation in the Committee as regards the consideration of disarmament questions. It is not our task to make a generalized assessment of this situation. Nevertheless, we share the opinion expressed at the last session by a number of representatives to the effect that the consideration in the Committee of disarmament problems and agreement upon them are not sufficiently intensive. It is necessary to activate the negotiations in every possible way and to exert greater efforts in order to agree upon concrete steps in the field of disarmament.

39. We consider that at the present moment, in order to preserve peace and ensure success in the disarmament negotiations, it is a matter of urgency to prevent the spread of nuclear weapons and to implement the Treaty on the Non-Proliferation of Nuclear Weapons. In advocating the ratification of that Treaty, we regard it as a link in the chain of measures intended to lead to nuclear disarmament. The fact that a number of States which are getting very close to producing nuclear weapons still avoid acceding to the non-proliferation Treaty creates certain difficulties for further progress towards disarmament. In this particular case we have in mind, first and foremost, the Federal Republic of Germany, where there are very influential forces which are striving to obtain access to nuclear weapons and endeavouring to frustrate the solution of the problem of the non-proliferation of nuclear weapons.

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[7] *Post*, pp. 764–765.
[8] *Ante*, pp. 264–298.
[9] *Documents on Disarmament, 1968*, pp. 793–795.

40. When considering concrete questions relating to disarmament, we must at the same time devote particular attention to the problem of the implementation of the international agreements already agreed upon in the Committee. If a situation should come about where international agreements on disarmament, after having been approved by a wide range of States, were blocked by the forces which oppose disarmament, the effectiveness of disarmament negotiations both within the Committee and outside it would be called into question. Such a situation, of course, cannot be allowed.

41. In concluding our statement today, we should like to stress also the fact that we shall have to submit to the twenty-fourth session of the General Assembly of the United Nations a report on the work accomplished. It is quite obvious that concrete results are expected from the Committee. That enhances the importance of the current session of the Committee and lays a great responsibility upon us. The Soviet delegation will do its utmost in order that our discussion may be carried on in a constructive spirit and lead to the positive results which are vitally necessary for the strengthening of international peace and security.

Statement by the Japanese Representative (Asakai) to the Eighteen Nation Disarmament Committee, July 3, 1969 [1]

50. I should like first to reiterate my gratitude to the representatives who have preceded me for welcoming my country to this Committee.

51. Taking advantage of the occasion of my country's admission to this important Committee, I should like with your indulgence to explain at some length the attitude of the Japanese Government on the question of disarmament as a whole, as well as my country's fundamental positions on several problems in this field.

52. The aim of any State's policy is to promote the well-being of its people, and the achievement of that well-being can only be realized in a society free from war. Again, the greatest responsibility of all of us living in the world of today is to ensure that our descendants shall inherit a peaceful and prosperous world.

53. Even today, when the curtain has risen on the space age, various kinds of confrontations and hostile feelings caused by such factors as differences in ideology, religion, political system, and so on, continue to exist; and those confrontations and hostile feelings are becoming increasingly more dangerous than in the past with the appearance of nuclear weapons possessing the power of immense destruction.

54. Despite all these situations, the human race has indeed been fortunate in having been successful in avoiding the outbreak in some way or other of a war on a world-wide scale. While this has doubt-

[1] ENDC/PV.416, pp. 20–28.

less been due in large measure to the existence of a balance of power in the deterrents of the super-Powers, it should not be ignored that forums for discussions relating to disarmament have existed almost constantly since the Second World War, providing the super-Powers with a suitable place for a dialogue between themselves, thus helping greatly to avoid a major war. Again, we cannot overlook the fact that all the other members of this Eighteen-Nation Committee on Disarmament, established seven years ago, have greatly aided the co-operation between the super-Powers. In other words, the Eighteen-Nation Committee on Disarmament has not only carried on discussions but has also contributed to the maintenance of world peace through those discussions. A peace preserved only by the balance of power, however, can never be satisfactory, since we shall still be constantly menaced by the danger that such a precarious situation would be easily destroyed by the collapse of the balance. Accordingly, our ideal and ultimate goal must be to achieve the complete elimination of nuclear weapons through a gradual scaling-down of the size of the countries' deterrents while carefully maintaining the balance of deterrence that exists between the super-Powers.

55. More than twenty years have already elapsed since Japan suffered a tremendous catastrophe caused by nuclear weapons. It is their experience of the suffering caused by such weapons that has made so strong the desire of the Japanese people to eliminate nuclear weapons completely. The people of my country, after having had this experience, established their Constitution—the like of which cannot be found in the history of the world—in which they state their resolve to renounce war as a sovereign right of the nation, and they have firmly upheld this Constitution ever since. Article 9 of the Japanese Constitution states:

> Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

56. The Japanese Government also passed the Atomic Energy Basic Law in 1955, when atomic energy was just beginning to be used for peaceful purposes in Japan, and stated clearly the principle that the research, development and utilization of atomic energy shall be limited to peaceful purposes. Furthermore, the Japanese Government is strictly adhering to the policy of not producing, not possessing and not bringing in nuclear weapons.

57. The reason why the Japanese Government is maintaining the policy I have just mentioned, of renouncing war and not possessing nuclear weapons, is the earnest wish of the Japanese people that nuclear weapons should be eliminated from the earth and that an international society free from the threat of war should be realized. Against the background of this earnest wish of the people of my country, the Japanese Government has been appealing to the world for the promotion of disarmament on every available occasion, including such occasions as the meetings of the United Nations General Assembly.

58. My country has also been co-operating for the last three years with other countries in an effort to find a solution to the problem of verification for the prohibition of underground nuclear weapon tests.

Furthermore, scientists from my country have participated in the preparation of the United Nations Secretary-General's reports on the effects of the possible use of nuclear weapons [2] and of chemical and bacteriological weapons.[3] In this way my country has already been taking an active part in the work for disarmament; and we reiterate our determination that Japan shall continue to contribute to the maintenance of world peace through the promotion of disarmament by participating in the work of this Disarmament Committee, which is the principal forum for the discussion of the question of disarmament.

59. The opening paragraph of the Charter of the United Nations manifests the determination of the peoples of the Member States to save succeeding generations from the scourge of war. The Japanese people also, in the preamble to their Constitution, state:

> We, the Japanese people, desire peace for all time . . . We recognize that all peoples of the world have the right to live in peace, free from fear and want.

Such an ideal society enjoying peace "for all time" cannot be realized unless the peace-keeping operations of the United Nations are strengthened to such an extent that each nation will be able to give up its own armaments and to rely entirely for its security upon the United Nations collective security system. Needless to say, the society in which we are living at present is far from one in which general and complete disarmament could be realized at a single stroke.

60. As we are all aware, the United States and the Soviet Union have submitted their respective drafts of a treaty on general and complete disarmament to the Eighteen-Nation Committee on Disarmament;[4] but since then negotiations on this question have been at a standstill. One of the reasons for this stagnation is that not all the nuclear Powers have been participating in the discussions on disarmament. The partial test-ban Treaty concluded in 1963 [5] is still limited in its effectiveness because of the non-adherence to it of some nuclear Powers. How can we hope for the realization of general and complete disarmament without the participation of all the nuclear Powers? We earnestly hope, therefore, that those nuclear Powers which have not been participating in the international discussions on disarmament will do so as soon as possible.

61. On the other hand, it is my delegation's opinion that in order to achieve general and complete disarmament we must work towards it by the steady accumulation and successful implementation of whatever collateral measures can be agreed upon meanwhile. For this reason we welcome the accumulation of such collateral measures as the partial test-ban Treaty, the Treaty on Antarctica,[6] the outer space Treaty [7] and the Treaty on the Non-Proliferation of Nuclear Weapons.[8] We esteem particularly highly the efforts of this Committee to conclude the Treaty on the Non-Proliferation of Nuclear Weapons.

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[2] *Documents on Disarmament, 1967*, pp. 476 ff.
[3] *Ante*, pp. 264–298.
[4] *Documents on Disarmament, 1965*, pp. 77–102, 111–140.
[5] *Ibid., 1963*, pp. 291–293.
[6] *Ibid., 1945–1959*, vol. II, pp. 1550–1556.
[7] *Ibid., 1967*, pp. 38–43.
[8] *Ibid., 1968*, pp. 461–465.

62. However, in promoting collateral measures we must always take into account the fact that they must be such as will help to maintain and strengthen world peace at each stage. In this connexion we attach special importance to point 5 of the principles for general and complete disarmament agreed on between the United States and the Soviet Union in 1961, which states:

> All measures of general and complete disarmament should be balanced so that at no stage of the implementation of the treaty could any State or group of States gain military advantage and that security is ensured equally for all.[9]

63. The priority of nuclear disarmament over other questions of disarmament has already been confirmed by last year's session of the Eighteen-Nation Committee on Disarmament; and we also entirely support that opinion. We believe that the United States and the Soviet Union will be able to proceed to a considerable extent with nuclear disarmament without causing an unfavourable balance in relation to other nuclear-weapon States; since in the field of nuclear armament, unlike the position in the field of conventional armaments, both the United States and the Soviet Union enjoy outstanding superiority over other States.

64. In discussing nuclear disarmament it is necessary to take into consideration the questions both of quality and of quantity. The nuclear weapons which already exist include weapons ranging from megaton nuclear weapons capable of destroying at one stroke a huge city with a population of several millions to tactical nuclear weapons with low kiloton yields which can be used in the field; and research and development work to increase their efficiency is still continuing. The best way to check this qualitative improvement of nuclear weapons is simply to prohibit nuclear weapon tests.

65. In spite of the fact that the existing volume of nuclear weapons is said to be more than enough to annihilate the whole human race, stockpiles of nuclear weapons are still growing. The most effective way to curb the increase in the quantity of nuclear weapons is to halt the production of fissionable nuclear materials for the production of nuclear weapons and to transfer the existing stockpiles of these materials to use for peaceful purposes. Because the objective of the Treaty on the Non-Proliferation of Nuclear Weapons is limited to the checking of the horizontal proliferation of nuclear weapons, we must now make every effort to curb the vertical proliferation of these weapons through the realization of a comprehensive ban on nuclear weapon tests, the cessation of production of fissionable nuclear materials for military use, and the transfer of the stockpiles of these materials to use for peaceful purposes.

66. Although the partial test-ban Treaty was concluded in 1963, we have not yet achieved the prohibition of underground nuclear-weapon tests, which is the only field not covered by that Treaty. The most difficult technical problem in formulating a treaty banning underground nuclear-weapon tests is that of verification to ensure compliance with the treaty. In recent years, however, great advances have been made in research and international co-operation relating to the

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[9] *Ibid., 1961*, pp. 439–441.

detection and identification of underground nuclear-weapon tests by seismological methods.

67. The study meetings on seismic methods of monitoring underground explosions which took place last year in Stockholm under the auspices of the International Institute for Peace and Conflict Research in Stockholm and with the participation of experts from ten countries, including four nuclear-weapon States, reached the conclusion that, as far as underground disturbances of a magnitude greater than 4.75 are concerned, discrimination between nuclear explosions and earthquakes would be possible with almost 100 percent accuracy from outside the country in which the disturbances took place.[10] This is a fact which marks a new epoch in the negotiations aimed at prohibiting underground nuclear-weapon tests. We should make every effort to improve teleseismic observation techniques to the point where we can with certainty identify all underground explosions.

68. At the same time short-range observation must also be recognized as deserving intensive study so that we may find a solution to the problem of identifying such disturbances as cannot yet be identified by teleseismic observation. One of the possible methods of making such short-range observation effective would be for each nuclear-weapon State to be permitted on a reciprocal basis to install unmanned seismological observatories—the so-called black boxes—in appropriate places within the territory of other nuclear-weapon States with a view to monitoring underground explosions.

69. But in the last analysis the most effective method is the one by which the data from seismological observatories in each country would be internationally exchanged and examined. In this case, however, little would be gained unless the data which were so exchanged covered all the important areas. Accordingly it is necessary for us first of all to know how wide is the monitoring range of existing seismological observatories. If there were areas which the existing seismological observatories could not cover, we would hope that each country would install seismological observatories in appropriate places within its own territory. We believe that by taking the steps I have just mentioned we would be able to make a further step towards the solution of verification problems. Since Japan, owing to its geographical location, is able to supply valuable observation data, we shall be able to contribute to the discrimination of seismic data.

70. The halting of the production of fissionable materials for weapons use and the transfer of the stockpiles of those materials to peaceful purposes are fundamental steps towards the reduction of nuclear weapons and are included in the proposals for general and complete disarmament of both the United States and the Soviet Union. The question of verification has been the biggest obstacle to the preparation of a treaty for this purpose; but a system of safeguards similar to that which is to be applied to non-nuclear-weapon States by the International Atomic Energy Agency in accordance with the Treaty on the Non-Proliferation of Nuclear Weapons must also be applicable as a verification measure in this case. Accordingly we hope that the negotiations to halt the production of fissionable materials for weapons

[10] *Ibid., 1968,* pp. 455–458.

purposes will not be further delayed on the pretext that the problem of verification is insoluble.

71. At the same time we also hope that the proposal that all nuclear-weapon States should bring their nuclear weapons to designated depots for disassembly, for removal of fissionable materials, and for destruction of the remaining components in a manner that would be demonstrated to nationals of all States, may be re-examined. Such proof of destruction of the components of nuclear weapons would certainly make all the peoples of the world understand the significance of article 6 of the Treaty on the Non-Proliferation of Nuclear Weapons, in which each of the parties to the Treaty undertakes to pursue in good faith negotiations on effective measures relating to nuclear disarmament.

72. Needless to say, the freezing and the reduction of stockpiles of means of delivering nuclear weapons are closely related to nuclear disarmament. It is welcome news that negotiations between the United States and the Soviet Union with regard to the control of strategic missiles are expected in the very near future. As has been pointed out by many representatives to this Disarmament Committee in the past, if a system of ballistic missile defence were once deployed, a means of penetrating that system would soon be developed, thus making inevitable a nuclear arms race which would form a vicious circle, reaching a point of no return. In addition to this, the deployment of such weapons as might enhance the temptation to strike first would destroy the balance of deterrence, thus damaging the present stability. Because the development of such new weapons systems is proceeding with astonishing speed, we sincerely hope that negotiations will be started for the cessation of the strategic arms race before the problem becomes too difficult for us even to seek a solution to it.

73. Such negotiations will probably take a considerable time. We hope, therefore, that both the United States and the Soviet Union will make every effort to reach an agreement, step by step, beginning their negotiations with such questions as might be easiest of solution. If the negotiations between the two countries relating to the control of missiles should fail to achieve any meaningful results, future discussions in this Committee, particularly on the question of concluding a treaty prohibiting underground nuclear-weapons tests, would be adversely affected. If, on the other hand, some agreement should be reached by the United States and the Soviet Union on the question of controlling missiles, it is surely to be expected that the chances of fruitful discussions in the Disarmament Committee would be greatly enhanced.

74. A thorough examination must also be made for the purpose of prohibiting chemical and biological weapons, since these weapons are, together with nuclear weapons, capable of being employed for the purpose of mass destruction. It was a most timely and appropriate step towards the prohibition of chemical and bacteriological weapons that an expert group on chemical and bacteriological weapons appointed by the Secretary-General in accordance with last year's United Nations General Assembly resolution 2454 A (XXIII)[11] completed

[11] *Ibid.*, pp. 793–795.

the report on their study of the effects of the possible use of such weapons.[12]

75. As far as concerns the prohibition of the use of poisonous gases and bacteriological weapons, we already have the Geneva Protocol of 1925.[13] However, as scientific developments since then have made it possible to produce weapons which are not covered by that Protocol, it is imperative that we should supplement the Protocol. Furthermore, in order to eliminate the possibility of such weapons being used, it is imperative also that we should now prohibit the development and production of these weapons as well as scrap stockpiles of them. Undoubtedly it will be much more difficult to discover an effective means of verification of compliance with a prohibition of their production than in the case of nuclear weapons. We must not, however, abandon the search for the solution to this question.

76. This year's Spring session of the Disarmament Committee focused attention in its debate on the question of the prohibition of the use for military purposes of the sea-bed and the ocean floor. The prohibition of the use for military purposes of the sea-bed and the ocean floor is a preventive measure to check the arms race and, following the conclusion of the Treaty of Antarctica and of the Outer Space Treaty, it is extremely important for us to prevent the spread of the arms race to the sea-bed and ocean floor—which occupies seventy per cent of the surface of the globe. Furthermore, in line with my country's approach that any realistic effort to achieve disarmament should start with the problems that can be most easily solved, we welcome the fact that both the United States and the Soviet Union have submitted draft treaties on this subject.[14]

77. Japan subscribes to the idea that the use of the sea-bed and the ocean floor and the subsoil thereof should be prohibited, in principle, for military purposes. We hope particularly that measures may be taken now in order to prevent the sea-bed being used as a military base for nuclear war. However, as Japan is surrounded by the sea, it is difficult for us to agree to the proposal that purely defensive devices against an attack from the sea should also be prohibited by the treaty. We hope that the treaty will be completed as soon as possible taking fully into account the security of every nation; and the Japanese delegation wishes to co-operate fully with the other delegations of this Committee to achieve this.

78. Today I have stated the fundamental positions of my Government on several problems in the field of disarmament. At later stages of our discussions I should like to present our views on some of these problems in detail and in specific form.

79. Permit me, in concluding my statement, to convey once again to all the members of the Committee the Japanese people's feeling of profound respect towards the noble efforts of this Committee, which is indeed holding high the torch of mankind's hope for lasting world peace and prosperity.

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[12] *Ante*, pp. 264–298.
[13] *Post*, pp. 764–765.
[14] *Ante*, pp. 112–113, 211–213.

Address by Foreign Minister Gromyko to the Supreme Soviet [Extracts], July 10, 1969 [1]

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In its efforts aimed at strengthening European security, the Soviet Union proceeds from the premise that the most effective way to strengthen Europe's security would be to create a collective security system. . . .

The Soviet Union's approach to the problem of European security today, as in the past, is founded on a desire to organize relations among the countries of Europe on the basis of peaceful—precisely peaceful—cooperation. This is the goal to which our proposals are directed, and it makes no difference to us who carries off the palm in advancing various ideas and plans. The Soviet Union is ready to consider all proposals by other states if they are directed toward a detente in Europe, toward strengthening European peace.

The Warsaw Pact member-states advanced the well-known Bucharest Declaration,[2] which contains a broad program of measures to ensure security in Europe. The socialist countries have made proposals on specific steps toward a military detente in Europe. The parties to the Bucharest Declaration spoke out in favor of the collective discussion of questions of European security by all the European countries.

The Karlovy Vary Conference of the Communist and Workers' Parties of Europe was of great importance for increasing activeness in the struggle for European security.[3] The program it advanced is just as relevant today as it was two and a half years ago.

The Deputies to the U.S.S.R. Supreme Soviet, of course, are aware of the wide response that has been received by the Message From the Warsaw Pact States to All European Countries on convening an all-European conference on questions of security, adopted in March, 1969, in Budapest.[4] In fact, no European state has raised any objections to the proposal to convene such a conference.

The Soviet government expresses its satisfaction with the initiative of the government of Finland in proposing to all interested states that preparations for a conference be begun through consultations among the governments involved and that at a definite stage a meeting be held to discuss questions related to the convocation of the conference.[5] The Soviet government has responded positively to this initiative of the Finnish government and is prepared to help in its realization.

The governments of a number of countries state that it is important to ensure the success of an all-European conference by carrying out the necessary preparations. This is not at variance with our views. It is important only that the preparations not become an impenetrable

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[1] *Pravda*, July 11, 1969, pp. 2–4; *Current Digest of the Soviet Press*, Aug. 6, 1969, pp. 6–10.
[2] *Documents on Disarmament, 1966*, pp. 407–420.
[3] *Ibid., 1967*, pp. 197–203.
[4] *Ante*, pp. 106–109.
[5] *Ante*, pp. 197–198.

maze through which it would be impossible to make one's way to the conference.

The Soviet Union also advocates the implementation, through the joint efforts of the states of Eastern and Western Europe, of large-scale projects in the fields of power engineering, transportation and public health, matters that have a direct bearing on the well-being of the whole continent. Broad economic, scientific and technical cooperation and unimpeded, mutually advantageous trade and cultural exchanges can and must become, as they develop, an important basis for political cooperation as well.

As we see, there are quite a few problems that might be considered; all that is necessary is willingness to consider them and to find solutions.

On the whole, our positions in Europe are secure. The gains of socialism and the freedom and independence of the Soviet Union and its allies are safe. The German Democratic Republic occupies the same place in the defense system of the Warsaw Pact countries as all the other members, and no one should yield to the temptation to test the firmness of its position.

We have not threatened anyone in the past and we are not threatening anyone now, either in Europe or beyond its confines. In defeating the fascist aggressors, our army brought not war but peace to the center of Europe. In all its activity, the Soviet Union has proven in practice that security in Europe is inseparable from our own security, and it proceeds and will continue to proceed from this premise in its foreign policy.

The Soviet Union continues to believe that the creation of a zone free of nuclear missiles in the Mediterranean Sea area would be of great importance for the security of Europe, as well as that of the African continent and the Near and Middle East. The adoption by the appropriate states of a commitment to prevent the deployment of nuclear missiles in this area would, first of all, strengthen the security of the countries there; second, it would facilitate an easing of tension in the world generally.

The question of the nondeployment of nuclear weapons and delivery systems in the Mediterranean Sea area is an important question that merits serious consideration by the interested states, and today it is more urgent than ever before.

. . . . . .

For many years now the Chinese leaders have been assailing our policy aimed at the disarmament of states and the elimination of nuclear weapons, a policy that, as is known, is opposed by imperialism. The Chinese leaders declare that any agreement on disarmament, especially nuclear disarmament, is a fraud and that under no circumstances will China accept such an agreement or sit down to negotiate on these questions. Showing little concern for the future, this is just what they say—they will not participate in negotiations and will not sit down with the other powers at the negotiations table. In response to this bravado, one might say: "Don't spit in the well—you'll be wanting to drink the water too."

. . . . . .

One of the most crucial problems facing mankind is the problem of halting the arms race and of disarmament. The various goals toward which states orient their policies are reflected in their various approaches to this problem.

It must be said that the policies and propaganda of the imperialist powers have worked overtime to drive into people's minds the idea that the arms race is an inevitable companion of mankind. These powers spend a large part of the profits received by those who get rich on arms production to demonstrate the necessity of more and more military appropriations and the necessity of the arms race. . . .

The Soviet Union has proceeded and continues to proceed from the premise that the general and complete disarmament of states would be the most radical step toward lessening the danger of a new world war. The peoples are being deceived by those governments that are trying to prove that the time is not yet ripe for such a decisive step.

The thinking of statesmen and scientists must now be directed not toward determining the conditions in which new types of weapons can be used, an activity that NATO military headquarters is very fond of, but toward disarmament, since the arms race has long since become madness.

A number of problems relating to the field of disarmament require urgent solution.

One of the most basic questions that has arisen is that of so-called strategic weapons. What is involved here is above all the question of whether the major powers are to reach an agreement on checking the race for the creation of increasingly destructive means of attack and counterattack, or whether each power will seek to pull ahead in one area or another in order to achieve military superiority over its rival, which would compel the latter to mobilize still more national resources for the arms race. And so on, *ad infinitum*.

There is another aspect of the matter that must not be overlooked in the long-range policies of states. This is largely connected with the fact that weapons control and guidance systems are becoming, if one may say so, more and more independent of the people who create them. Human hearing and vision are not capable of reacting accurately at today's velocities, and the human brain is sometimes unable to evaluate the readings of a multitude of instruments quickly enough; the decision made by a human being ultimately depends on the conclusions provided to him by computer devices.

Governments must do everything in their power so as to be able to determine the development of events, not find themselves in the role of captives of these events.

The Soviet government has already reported to the Supreme Soviet on its readiness to enter into an exchange of opinions with the U.S.A. on so-called strategic weapons. The U.S. government has stated that it is preparing for an exchange of opinions. The Soviet government is also ready for this. One would like to express the hope that both sides will approach this question with recognition of its great importance.

Since the very appearance of nuclear weapons, the Soviet Union has emphasized the necessity of using atomic energy only for peaceful purposes and that it is necessary to reach an appropriate international

agreement on this question. The Soviet Union has consistently adhered to these views and favors such a solution now.

All the main questions pertaining to complete nuclear disarmament and the elimination of nuclear weapons—in other words, to the prohibition of the use of atomic energy to produce nuclear weapons—can be resolved properly only with the participation of all the nuclear powers, and *this means all*. That is the only way to deal with these questions. The Soviet government is, as before, prepared to discuss this enormously important matter with representatives of the other nuclear powers.

In close conjunction with this question is the task of preventing the proliferation of nuclear weapons. The Soviet Union, along with other countries, has begun the ratification of the Treaty on the Nonproliferation of Nuclear Weapons, which has already been signed by about 90 states.[6] We should like to express the hope that those countries in which the question of adhering to the treaty is still under discussion will arrive at the only correct conclusion, that it is necessary to sign and ratify it.

The Soviet Union has always attached importance to the question of a total ban on nuclear weapons tests. The 1963 Moscow Treaty on the cessation of such tests in the atmosphere, in outer space and under water was a major step in this direction.[7] However, underground test explosions of nuclear weapons have still not been banned. The Soviet government is ready for an agreement on this question as well.

For such an agreement to be reached, the Western powers must not complicate the matter by advancing groundless conditions that go beyond the task of banning nuclear weapons tests. The effectiveness of the ban can be ensured by using national means of control, and an agreement must be reached on this basis.

The Soviet Union has proposed a ban on the use of the seabed and the ocean floor for military purposes.[8] There is reason for satisfaction with the reaction to this proposal. True, we have also encountered attempts to lessen the extent of the states' commitments. However, the overwhelming majority of member-countries of the Disarmament Committee favor an effective treaty of this sort.

The Soviet Union will continue to proceed from the premise that the demilitarization of the seabed and the ocean floor corresponds to the interests of all countries.

Our country has submitted for consideration by other states, including the members of the Disarmament Committee in Geneva, a proposal providing for a ban on chemical and biological means of warfare that is more effective than the existing ban.[9] The Soviet government expresses the hope that the states will resolve this question with all the requisite responsibility and that a proper agreement, backed up by international law, will be reached in the not-too-distant future.

The Soviet Union's foreign-policy activity aimed at halting the arms race and at disarmament is carried on in the closest cooperation

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[6] *Documents on Disarmament, 1968*, pp. 461–465.
[7] *Ibid., 1963*, pp. 291–293.
[8] *Ante*, pp. 112–113.
[9] Cf. *ante*, pp. 243–244. See also Soviet proposal submitted to the G.A. on Sept. 19 (*post*, pp. 764–765).

with the fraternal socialist countries and with their support. Our Warsaw Pact allies—Poland, Czechoslovakia, the G.D.R., Bulgaria, Hungary and Rumania—attach paramount importance to the achievement of progress in this field. In turn, they have made important proposals on various aspects of disarmament, particularly aspects relating to the countries of Europe.

Recently the Mongolian People's Republic was invited to participate in the Geneva Disarmament Committee as a full member. The M.P.R.'s position on disarmament has always been plain and clear-cut. It has invariably supported every constructive step in the field of disarmament. Now it is receiving even greater opportunities for pursuing this course.

This is the policy of the Soviet Union on questions of disarmament, and we are fully resolved to continue it. The course of checking the arms race and stopping it, the course of disarmament, is the only correct course; it is dictated by the objective conditions in the world, not least of all by the scientific and technological revolution that mankind is experiencing. Which way to channel this revolution—in the direction of war or in the direction of peace—is a question of extreme importance.

Every government, and every scientist for whom the world is not confined within the walls of his laboratory or office and who possesses a sense of civic responsibility, cannot help asking what goals scientific inquiry and its results serve, whether they are being used for the benefit of the world or by an aggressor who is preparing to commit a crime or has already committed one. The Soviet Union is in favor of putting the enormous forces wrested from nature at the service of people, at the service of peace.

On questions of disarmament, as well as on many other questions of international life, the Soviet Union and the other socialist countries are always aware of the support of the large group of nonaligned states, whose policies are an important positive factor in the general struggle for peace, and they appreciate the position of these states. One would like to express the conviction that those who are seeking props in the struggle against socialism and against peace will not succeed in changing the direction of this course of nonalignment.

. . . . . .

The Soviet government has always attached great importance to relations with the United States of America. We favor the development of good relations with the U.S.A. and would like these relations to become friendly relations, since we are convinced that this would correspond to the interests of both the Soviet and the American peoples.

It is clear that our two countries are divided by profound class differences. But the Soviet Union has always proceeded from the premise that the U.S.S.R. and the U.S.A. can find a common language on questions of maintaining peace. It goes without saying that understandings or agreements on these questions are attainable when they are consistent with mutual interests, including the interests of our allies and friends.

We took note of President R. Nixon's statement that, in his opinion, an era of negotiation is following a period of confrontation.[10] The Soviet Union favors negotiation. If the U.S. government pursues this line in practice, then there will be a readiness on our side, as there has been in the past, to reach an agreement of positions, both on questions of bilateral relations with the U.S.A. and on unsettled international problems. Naturally, the Soviet Union, following the unvarying principles of its foreign policy, will proceed in this matter on the basis of respect for the inalienable rights and legitimate interests of other states, both large and small.

The Soviet side is ready to study the possibilities for the development of Soviet-American relations. Why not consider, for example, the question of exchanging authoritative delegations of the U.S.S.R. Supreme Soviet and the U.S. Congress? Needless to say, the U.S. President's statements in favor of a well-prepared Soviet-American summit meeting have also not gone unnoticed in the Soviet Union.

We entertain no illusions that the number of people in the U.S.A. who oppose the establishment of good relations between our two countries is going to decrease rapidly. The mechanism set in motion there by forces that do not hide their animosity toward our social system continues to operate at full capacity. But even these circles must realize that the prevention of clashes between the world's two biggest powers and the establishment of normal or, even better, good relations between them are in the interests of both countries.

. . . . . .

Statement by the British Representative (Mulley) to the Eighteen Nation Disarmament Committee: Chemical and Biological Warfare [Extract], July 10, 1969 [1]

8. But I hope that the Committee will also have time to give serious and detailed consideration to the whole question of chemical and biological warfare. We now have the Secretary-General's report on chemical and bacteriological (biological) weapons and the effects of their possible use. We are deeply indebted to him and to his consultant experts who have drafted this report for the hard work they have put into producing it in time for us to consider it at this session. They are to be greatly congratulated on meeting the exacting timetable set for their work, as well as on the contents of their report. I should like also to express appreciation to Mr. Epstein, who acted as Chairman, and to all the United Nations staff who contributed to this outstanding achievement. The report is a comprehensive document which will be of the greatest possible value to us, and I trust that it will be given wide publicity in all countries. We can best repay our debt by making full use of the report to work out positive and realistic proposals for action in this field for consideration by the General Assembly at its next session.

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[10] *Documents on Disarmament, 1968*, p. 695.
[1] ENDC/PV.418, pp. 6–13.

9. We need more time to study the report in detail, but I am sure that we have all taken note of and share the hope expressed by the authors in their conclusion that—

> . . . this report will contribute to public awareness of the profoundly dangerous results if these weapons were ever used, and that an aroused public will demand and receive assurances that governments are working for the earliest effective elimination of chemical and bacteriological (biological) weapons.[2]

This lays a particular responsibility on this Committee to put proposals for action before the next session of the General Assembly. Naturally the experts themselves have not made any recommendations for positive action; that would have been outside their terms of reference. But the Secretary-General has made some recommendations of his own in his important foreword to the report, and it is these that I should like to take as my starting point.

10. The Secretary-General's first recommendation is that the Members of the United Nations should renew the appeal to all States to accede to the Geneva Protocol of 1925.[3] This recommendation has the whole-hearted support of Her Majesty's Government. Time and time again I have stressed in this Committee and elsewhere that we attach the greatest possible importance to the Geneva Protocol. A tremendous step forward will have been taken if as a result of this report all States adhere to the Protocol.

11. But it is just because we attach such importance to the Geneva Protocol that I must admit to having some reservations about the Secretary-General's second recommendation—that the Members of the United Nations make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents, including tear gas and other harassing agents, which now exist or which may be developed in the future. At present only about half the Members of the United Nations are parties to the Geneva Protocol. It seems to us that it is for the parties to the Protocol, and for them alone, to say what the Protocol means.

12. Moreover, the Secretary-General interprets the Protocol as covering both lethal and non-lethal chemical agents. I fear that it may be difficult to secure the unanimous agreement of all the parties to the Protocol that this is in fact what the Protocol means, and even more difficult to secure the unanimous agreement of all Members of the United Nations. Is it not all too possible that an attempt to secure an affirmation of the kind envisaged by the Secretary-General would fail? And, if this proved to be the case, might not our failure to agree throw doubt on the continued validity of the Protocol? It is because of these considerations, together with the Secretary-General's third recommendation, that I have proposed that the Protocol be reinforced by a new instrument or instruments.

13. I feel sure that there will be general support for the objective indicated by the Secretary-General in his third recommendation, and that we should all like

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[2] *Ante*, p. 298.
[3] The protocol appears *post*, pp. 764–765.

. . . to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.[4]

That must be our goal. But what is the best means of achieving it? It is my conviction that, if we try to tackle biological and chemical methods of warfare simultaneously, far from making progress on both fronts we shall not make the rapid progress that we want and, I am sure, the whole world wants. As I have explained on previous occasions, our view is that chemical weapons pose a more difficult problem than biological weapons, and that therefore the right course is to make a start by banning not merely the use but the actual production and possession of biological weapons. I shall not repeat the arguments now, but there are two points I should like to make.

14. My first point is that, although the Secretary-General's report deals with both biological and chemical weapons, it brings out clearly the difference between the two. I would direct attention to paragraphs 21 to 31 of the report, which deal with the differences as regards the potential toxicity, speed of action, duration of effect, specificity, controllability and residual effects. The report shows that, weight for weight, biological agents are of potentially much greater contaminating power, are much more difficult to control in action and are more unpredictable in effect than are chemical agents.

15. May I also draw attention to table 4 on page 57?[5] This table gives comparative estimates of the disabling effects of hypothetical attacks on totally unprotected populations using a nuclear, chemical or biological weapon that could be carried by a single strategic bomber. The area affected by a nuclear weapon would be up to 300 square kilometres; for a chemical weapon the area affected would be up to 60 square kilometres; but for a bacteriological (biological) weapon the figure is of a different order—up to 100,000 square kilometres. It is clear from this that chemical weapons can be used with a certain amount of precision, but that in the nature of things biological weapons are totally indiscriminate. This in itself seems to me to be a good reason why we should try to tackle biological weapons first.

16. The second point I should like to make is that, though we think the best course is to tackle biological weapons first, that does not mean that we are prepared to accept the present position with regard to chemical weapons without trying to do anything about it. We are not. Our draft text of a convention prohibiting biological methods of warfare—which I beg leave to submit formally today—includes an article (article V) under which each of the parties would undertake to pursue negotiations in good faith on effective measures to strengthen the existing constraints on the use of chemical methods of warfare.[6] Just as in the negotiations on the non-proliferation Treaty it was generally agreed that we should tackle the horizontal proliferation of nuclear weapons first but commit ourselves absolutely to make progress on vertical proliferation as well,[7] so in the field of chemical and biological warfare we think that the right course is to conclude a convention on

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[4] *Ante*, p. 267.
[5] A/7575, p. 57.
[6] *Infra*.
[7] See art. VI of the Treaty (*Documents on Disarmament, 1968*, p. 464).

biological warfare now, but commit ourselves absolutely to the goal of taking comparable measures with regard to chemical warfare.

17. I should like now to take the Committee rapidly through the texts I have submitted. As will be seen, they consist of a draft convention and a draft Security Council resolution.[8] Such a resolution is essential, if only because an important role is envisaged for the United Nations Secretary-General in the investigation of complaints, and the convention cannot impose obligations on the Secretary-General. The convention and the resolution are therefore complementary and form an integral whole.

18. I have already mentioned the importance we attach to the Geneva Protocol, and the first point to which I would draw attention is that four of the preambular paragraphs are directly concerned with the Protocol. I hope that these paragraphs, taken in conjunction with Article VI, will finally remove any doubt that, far from undermining the Protocol, our convention will effectively reinforce it. The rest of the preamble is, I think, self-explanatory. The basis of what we are seeking to do is expressed in the fourth paragraph: "Believing that chemical and biological discoveries should be used only for the betterment of human life".

19. Article I has a dual purpose. It contains the central prohibition on the use of biological methods of warfare, and it defines what is meant by that term. The convention is, of course, aimed primarily at prohibiting the use for hostile purposes of disease-spreading microbes which may be bacteria or viruses or other microbial agents such as rickettsiae, which come somewhere between the two. However, it is possible to envisage the use in war of biological agents which are not microbes: hookworm, for instance, or the bilharzia worm, or even crop-destroying insects such as locusts or Colorado beetles. We have therefore tried to find a definition which includes all possible agents. Incidentally, I know that the wording of this article may seem clumsy, but if it read ". . . never in any circumstances to engage in biological methods of warfare, by making use . . .", that might give the impression that there were other ways of engaging in biological methods of warfare that were permitted.

20. Since the aim of the draft convention is to outlaw biological warfare completely, article I is so framed as to prohibit the use of biological methods of warfare even in self-defence. But article II, which extends the prohibition on use to cover also production, possession and acquisition of biological agents for hostile purposes, as well as research work aimed at such production, does not seek to prohibit the right of any party to develop a passive defensive capability against biological warfare. That is to say, nothing in the convention prohibits, for instance, work on developing vaccines for defensive purposes, or the production of protective and warning devices.

21. As I have pointed out before to the Committee, verification, in the sense in which that term is normally used in disarmament negotiations, is simply not possible in the field of biological warfare. The agents which might be used for hostile purposes are generally indistinguishable from those which are needed for peaceful medical pur-

[8] The draft resolution appears *infra*.

poses, and militarily significant quantities of a biological warfare agent could be produced clandestinely in a building the size of a small house or large garage. We have therefore made provision in article III of the draft convention and in the draft resolution for a complaints procedure under which complaints by a party that biological methods of warfare had been used against it would be addressed to the United Nations Secretary-General, who, it is envisaged, would have standing authority from the Security Council to investigate such complaints immediately and report his findings to the Security Council. Other complaints, for example about production and possession and about use against another party, would be addressed to the Security Council itself, which would then, if it saw fit, authorize the Secretary-General to carry out an investigation and report back.

22. It is of course desirable that investigation of all complaints should proceed as quickly as possible in order to strengthen the deterrent effect of such machinery. Quick and automatic investigation should be possible where a party alleges that biological methods of warfare have been used against it, because in that case the complainant would provide all the facilities for carrying out an investigation. In other cases, facilities for carrying out investigations would have to be provided by parties who might well object to doing so. In those circumstances it would not be possible to have automatic investigation.

23. If I may revert for a moment to article II(a) (i), people might ask whether it would not be preferable to specify what types and quantities of biological agents are consistent with the criterion of independent peaceful justification. However, given the vast number of such agents and the infinite variety of individual requirements, that would, I fear, be quite impracticable. But types and quantities would be extremely relevant to any investigation of a complaint that article II of the convention had been breached. The investigating body would establish the types and quantities that were in production and report the justification for that production offered by the State concerned. It would then be for the Security Council, and indeed for individual parties, to decide whether the justification was adequate and to act accordingly.

24. As a further deterrent against infringement, parties would affirm their intention, under article IV, to provide or support appropriate assistance, in accordance with the United Nations Charter, to any party against which biological methods of warfare had been used. This question of security assurances is a difficult one, as we have found in other contexts, and I shall now make only two points. The first is that we are not, as in the non-proliferation Treaty, dealing with weapons which some countries have and are going to keep but which other countries do not have and are not going to acquire. Under the non-proliferation Treaty the nuclear-weapon States will have a particular responsibility for the security requirements of the non-nuclear-weapon States, but under this draft convention all parties would be equal and would have an equal responsibility in the security field. My second point is that the obligation on parties would not be simply to seek action by the Security Council. It would be an obligation—or rather an affirmation of intention—to take some kind of action themselves in accordance with the Charter to assist the victim, rather than

an obligation to take action against the aggressor—though of course the Security Council might decide that the latter was called for too.

25. I have already referred to article V of the draft convention, and there is little more that I need say about it at the moment. Let me only add that, if it is possible—as I hope and believe it is possible—to achieve the early and complete prohibition of biological methods of warfare, this will create a favourable climate for examining further the possibility of achieving far-reaching measures of arms control and disarmament in the field of chemical warfare. Much of the preparatory work that will be needed to bring about an effective prohibition of biological methods of warfare on the lines we have suggested—for instance, work on methods of investigating complaints of infringements of any convention—might well be of great use when the problem of chemical weapons is tackled.

26. Articles VII, VIII and X of the draft convention have been left blank for the moment, as I feel it is important to concentrate on the substantive issues at this stage. We have no firm views ourselves as yet on what the entry-into-force provisions should be, and we would welcome suggestions. Article IX is based on article IV of the 1963 partial test-ban Treaty[9] as far as duration is concerned, and on article X of the non-proliferation Treaty as far as the right of withdrawal is concerned.

27. The draft Security Council resolution is complementary to the draft convention. Its purpose is, first, to authorize the United Nations Secretary-General to establish the machinery required for the investigation of a complaint by a State that biological methods of warfare have been used against it; and secondly, to provide as much assurance as possible that complaints would be investigated and that the Security Council would take appropriate action if the investigation showed the complaint to be well founded. We have not attempted to indicate the kind of machinery which the Secretary-General might set up in order to investigate complaints. We have naturally considered that, but would welcome the views of other delegations before putting forward firm proposals. What we are proposing is something entirely new, and we think it important that careful consideration should be given, on an international basis, to the form the machinery might take. The Secretary-General might, for example, decide at the appropriate time to set up a working party to examine this requirement.

28. It is now almost a year since I first proposed in this Committee that, having concluded the non-proliferation Treaty, we should give urgent attention to the problems of chemical and biological warfare.[10] I confess to some disappointment that we have not made greater progress. However, now that we have the report of the Secretary-General, which fully justifies the initiative of this committee in asking for this work to be done, we must take urgent action to begin to implement it. Not only is it important that we deal with these matters because of the dangers inherent in the use of such methods of war; it is equally important that we do so in the wider

[9] *Documents on Disarmament, 1963*, pp. 291–293.
[10] ENDC/PV. 381, pp. 31–33.

context of progress towards general and complete disarmament. I agree very strongly with the penultimate paragraph of the report:

> The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.[11]

29. That is the challenge which this Committee must meet. In submitting my draft convention for serious and constructive consideration I fully appreciate that it deals with only part of the problem. But I consider that to make successful progress in this field we must move step by step, as we are seeking to do in the nuclear field, giving priority to measures which seem most likely to produce agreement. The idea that biological weapons could be used deliberately to spread disease generates a universal sense of horror. No country has used such weapons in war, and I know of no one who is prepared publicly to advocate their use. Surely it should not be difficult to obtain agreement on a convention to ban such weapons entirely; and I hope we can agree to present a draft convention to the General Assembly this year. If we do that, I would expect that at our next session we should be able to follow it up with a similar measure covering chemical weapons, so that that could be considered by the General Assembly in 1970.

30. Our final goal with respect to chemical and biological warfare has been well charted by the unanimous report of the experts and has already been endorsed by the Secretary-General. By giving urgent consideration to the preparation of a convention along the lines of the draft I have submitted today we can made a first positive step towards its achievement.

British Proposal Submitted to the Eighteen Nation Disarmament Committee: Draft Convention on Biological Warfare, July 10, 1969 [1]

The States concluding this Convention, hereinafter referred to as the "Parties to the Convention",

Recalling that many States have become Parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[2]

Recognizing the contribution that the said Protocol has already made, and continues to make, to mitigating the horrors of war,

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[11] *Ante*, p. 298.

[1] ENDC/255, July 10, 1969. A revised version was submitted on Aug. 26 (*post*, pp. 433–434).

[2] *Post*, pp. 764–765.

Recalling further United Nations General Assembly Resolutions 2162 B (XXI) of 5 December 1966[3] and 2454 A (XXIII) of 20 December 1968,[4] which called for strict observance by all States of the principles and objectives of the Geneva Protocol and invited all States to accede to it,

Believing that chemical and biological discoveries should be used only for the betterment of human life,

Recognizing nevertheless that the development of scientific knowledge throughout the world will increase the risk of eventual use of biological methods of warfare,

Convinced that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimize this risk,

Desiring therefore to reinforce the Geneva Protocol by the conclusion of a Convention making special provision in this field,

Declaring their belief that, in particular, provision should be made for the prohibition of recourse to biological methods of warfare in any circumstances,

Have agreed as follows:

Article I

Each of the Parties to the Convention undertakes never in any circumstances, by making use for hostile purposes of microbial or other biological agents causing death or disease by infection or infestation in man, other animals, or crops, to engage in biological methods of warfare.

Article II

Each of the Parties to the Convention undertakes

(a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of

(i) microbial or other biological agents of types and in quantities that have no independent peaceful justification for prophylactic or other purposes;

(ii) ancillary equipment or vectors the purpose of which is to facilitate the use of such agents for hostile purposes;

(b) not to conduct, assist or permit research aimed at production of the kind prohibited in sub-paragraph (a) of this Article; and

(c) to destroy, or divert to peaceful purposes, within three months after the Convention comes into force for that Party, any stocks in its possession of such agents or ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes.

Article III

1. Any Party to the Convention which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence at its disposal in support of the complaint, and request that

[3] *Documents on Disarmament, 1966*, pp. 798–799.
[4] *Ibid., 1968*, pp. 793–795.

the complaint be investigated and that a report on the result of the investigation be submitted to the Security Council.

2. Any Party to the Convention which believes that another Party has acted in breach of its undertakings under Articles I and II of the Convention, but which is not entitled to lodge a complaint under paragraph 1 of this Article, may similarly lodge a complaint with the Security Council and request that the complaint be investigated.

3. Each of the Parties to the Convention undertakes to co-operate fully with the Secretary-General and his authorized representatives in any investigation he may carry out, as a result of a complaint, in accordance with Security Council Resolution No. .....

ARTICLE IV

Each of the Parties to the Convention affirms its intention to provide or support appropriate assistance, in accordance with the United Nations Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party.

ARTICLE V

Each of the Parties to the Convention undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on the use of chemical methods of warfare.

ARTICLE VI

Nothing contained in the present Convention shall be construed as in any way limiting or derogating from obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925.

ARTICLE VII

[Provisions for amendments]

ARTICLE VIII

[Provisions for Signature, Ratification, Entry into Force, etc.]

ARTICLE IX

1. This Convention shall be of unlimited duration.

2. Each Party shall in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardized its supreme interests.

ARTICLE X

[Provisions on languages of texts, etc.]

British Proposal Submitted to the Eighteen Nation Disarmament Committee: Draft Security Council Resolution on Biological Warfare, July 10, 1969 [1]

The Security Council,

Welcoming the desire of a large number of States to subscribe to the Convention for the Prohibition of Biological Methods of Warfare,[2] and thereby undertake never to engage in such methods of warfare; to prohibit the production and research aimed at the production of biological weapons; and to destroy, or divert to peaceful purposes, such weapons as may already be in their possession,

Noting that under Article III of the Convention, Parties will have the right to lodge complaints and to request that the complaints be investigated,

Recognizing the need, if confidence in the Convention is to be established, for appropriate arrangements to be made in advance for the investigation of any such complaints, and the particular need for urgency in the investigation of complaints of the use of biological methods of warfare,

Noting further the declared intention of Parties to the Convention to provide or support appropriate assistance, in accordance with the Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party,

1. Requests the Secretary-General

(a) to take such measures as will enable him

(i) to investigate without delay any complaints lodged with him in accordance with Article III.1 of the Convention;

(ii) if so requested by the Security Council, to investigate any complaint made in accordance with Article III.2 of the Convention; and

(b) to report to the Security Council on the result of any such investigation.

2. Declares its readiness to give urgent consideration

(a) to any complaint that may be lodged with it under Article III.2 of the Convention; and

(b) to any report that the Secretary-General may submit in accordance with operative paragraph 1 of this Resolution on the result of his investigation of a complaint; and, if it concludes that the complaint is well-founded, to consider urgently what action it should take or recommend in accordance with the Charter.

3. Calls upon Member States and upon Specialized Agencies of the United Nations to co-operate as appropriate with the Secretary-General for the fulfilment of the purposes of this Resolution.

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[1] ENDC/255, July 10, 1969.
[2] *Supra.*

Polish Working Paper Submitted to the Eighteen Nation Disarmament Committee: Chemical and Bacteriological (Biological) Weapons, July 22, 1969 [1]

I. The problem of the prohibition and total elimination of weapons of mass destruction is one of the urgent tasks facing the international community.

In the field of nuclear weapons certain steps have already been taken, to mention the 1963 Moscow Partial Test Ban Treaty,[2] the 1967 Convention concerning peaceful utilization of the outer space [3] and the 1968 Treaty on the non-proliferation of nuclear weapons.[4]

These steps have significantly contributed to the slowing down of the nuclear arms race and the creation of conditions favouring other measures that may lead to further reduction, and ultimately total elimination of nuclear weapons.

II. Weapons of mass destruction are a class of weapons that includes also agents of chemical and bacteriological (biological) warfare. The danger inherent in these weapons has been particularly strongly exposed in the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use.[5] The danger derives among others from the fact that these weapons can be manufactured relatively cheaper and easier than is the case with nuclear weapons. Thus, any country not necessarily technologically advanced or industrially developed could manufacture or acquire a capability in this type of warfare.

Chemical and bacteriological (biological) weapons are weapons of mass destruction that pose a threat to the whole of mankind. Their use has been declared a crime against humanity and a violation of the generally recognized principles of international law as well as the UN Charter.

One of the principal goals of the international community in the field of disarmament should therefore be an effort aimed at ensuring that the prohibition of use of chemical and bacteriological (biological) weapons is strictly and universally observed as well as efforts designed to accomplish their total elimination, particularly through a prohibition of development, prohibition of manufacture and a prohibition of their stockpiling.

III. General Assembly resolution 2454 A (XXIII) of 20 December 1968 requested the Secretary-General to prepare, with the assistance of qualified consultant-experts, a report on chemical and bacteriological (biological) weapons and the effects of their possible use.[6] The resulting report, issued on 1 July 1969, is of great significance for the strengthening of effectiveness of the Geneva Protocol of 1925 and offers a considerable encouragement to further search for ways and means of total elimination of these weapons.

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[1] ENDC/256, July 22, 1969.
[2] *Documents on Disarmament, 1963*, pp. 291–293.
[3] *Ibid., 1967*, pp. 38–43.
[4] *Ibid., 1968*, pp. 461–465.
[5] *Ante*, pp. 264–298.
[6] *Documents on Disarmament, 1968*, pp. 793–795.

Prepared by highly competent consultant-experts, the report emphasizes the significance of the Geneva Protocol which, as they indicate, helped establish "a custom and hence a standard of international law". It also unequivocally places chemical and bacteriological (biological) weapons in a class of weapons of mass destruction underlining the high urgency of taking further steps that would ultimately lead to their complete elimination from military arsenals.

IV. Poland considers, therefore, that the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use can serve as a suitable basis for further deliberations in this Committee concerning these weapons.

To our mind the starting point in this regard should be to work to strengthen the existing international juridical norms banning the use of these weapons in warfare and which, as we know, are contained in the Geneva Protocol of 1925.[7] Bearing in mind that not all States have as yet acceded to the Protocol, it becomes imperative to ensure universal applicability of the Protocol's prohibitions and their strict observance.

The Polish delegation wishes to propose, therefore, that the Eighteen-Nation Committee on Disarmament, in its report to the General Assembly, should underline the importance and significance of the report of the Secretary-General, recommending its further consideration particularly in the light of the guidelines contained in the Secretary-General's foreword where U Thant urges the Members of the United Nations:

1. To renew the appeal to all States to accede to the Geneva Protocol of 1925;
2. To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future;
3. To call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for the purposes of war and to achieve their effective elimination from the arsenals of weapons.[8]

As in the past, Poland is ready to co-operate, both in this Committee, in the General Assembly and in other international organizations, with all States to ensure strict observance of the prohibition of use of chemical and bacteriological (biological) weapons and to make a sustained effort to achieve a complete elimination of those weapons from the armouries of States.

Statement by the United States Representative (Leonard) to the Eighteen Nation Disarmament Committee, July 22, 1969 [1]

28. Before starting my formal statement I should like just to thank all of those who, since my arrival here, have been kind enough to

[7] *Post*, pp. 764–765.
[8] *Ante*, p. 267.
[1] ENDC/PV. 421, pp. 12–20.

express words of welcome to me. I will make every effort to repay with contributions to the work of the Committee.

29. Following the resumption of this Committee's work on 3 July, we have had informal discussions with many delegations on the problems and prospects for agreement on a sea-bed arms-control measure. In the course of these very frank and valuable discussions we have been asked about our reasoning regarding certain provisions of our draft treaty [2] and how we think this treaty might operate. We think it may be of general interest if we now report to the Committee on the substance of these informal exchanges.

30. Throughout our discussions two threads have been apparent. Other delegations have asked us, first, "Is it really desirable to conclude an agreement with a prohibition as limited as the one proposed by the United States? Should we not attempt to achieve restrictions covering more than weapons of mass destruction? If we limit ourselves to a treaty which prohibits only emplacement of weapons of mass destruction, will we be passing up an opportunity, perhaps for ever, to achieve a more comprehensive arms control measure?" This is the first threat that has been apparent in many of the comments put to us.

31. The second thread concerns the significance of a limited measure for the non-nuclear Powers, large and small, the Powers that have no present capability nor any intention ever to place weapons of mass destruction on the sea-bed. Not only is there concern about the significance for them of a measure confined to weapons of mass destruction, but there is question as to the role of these Powers in making a sea-bed treaty work that is to say, in carrying out its verification.

32. We recognize that these concerns are genuine and pertinent. They demonstrate that the members of this Committee are pursuing their responsibilities with the utmost seriousness. The members of this Committee would not be doing their job if they did not examine thoroughly whether they are formulating the maximum practical measure. Nor should we fail to examine what role all of us can and should play in carrying out an international arms control measure. We are grateful, therefore, that so many delegations have talked to us candidly about these issues. It is in that same spirit that we wish to review these two broad questions in an effort to explain to the entire Committee our views on these crucial points.

33. Our decision to submit to this Committee a treaty which bans the emplacement of weapons of mass destruction but does not refer to other military uses of the sea-bed results mainly from three factors: our desire to prevent the use of the sea-bed for those weapons which would threaten the security of States; our desire to make significant progress in controlling the arms race, whenever this may be possible; and finally, the need to ensure that the prohibitions are in balance with our verification capabilities.

34. It should be clear to everyone here that the United States believes that arms control measures will be sound, that they will contribute to international security, when each party can be confident that any restraint it accepts is being adhered to by the other parties. Unfortunately, the task of first locating and then of clearly identifying

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[2] *Ante*, pp. 211–213.

the nature and purpose of all of the wide range of activities that are being and can be carried out on the ocean floor is staggering. These problems were gone into in some detail by Ambassador Fisher in May,[3] so I shall not cover the same ground now.

35. We have been asked whether, despite our acknowledged inability to verify fully a ban on a wide variety of military activities, we should not still include some prohibitions that may not, as a practical matter, be subject to verification. This suggestion implies that some prohibitions beyond the emplacement of weapons of mass destruction are so urgently needed or are of such significance that they should be accepted even without verification. It is our belief, however, that realistic possibilities do not now and will not soon exist for conventional military uses of the sea-bed that would be threatening to the territories of States. Nor do we believe that there are non-nuclear military uses of the sea-bed that could in the next few years trigger an arms race.

36. It has none the less been asked: what would be the harm in establishing such a prohibition? There are several answers to this question. First, some non-nuclear but very clearly military uses of the sea-bed are strictly defensive, are presently essential to our security and that of others and therefore must not be subject to treaty prohibitions. I refer, for example, to devices for the detection and surveillance of submarines. Secondly, we believe that we should not now attempt to formulate a broad, and unverifiable, prohibition because we really do not know what it would mean in practice. The problem of defining additional prohibited activities beyond the emplacement of weapons of mass destruction seems to us very complex; and we are reluctant to establish any prohibition if we cannot visualize what its practical impact might be, or if we cannot be sure that all other parties share our understanding of the prohibition.

37. We realize that these considerations—which are not new ones and which I have not attempted to elaborate in detail—have not by themselves seemed entirely satisfactory to some of the participants in this Committee, participants who genuinely desire to take the largest possible step to curb any actual or potential arms race. It is precisely for this reason that we have incorporated in our treaty a specific provision for treaty review—article V.

38. We have been asked specifically whether it is intended that the review conference might consider more than additional procedures for verification, a possibility that is referred to expressly in our article III. Our answer is that the review conference indeed may consider whether it is mutually desirable to establish additional substantive prohibitions, or, for that matter, whether to enlarge upon any other feature of the treaty.

39. We have specified that the review conference should take place five years from the entry into force of the treaty. We trust that note has been taken that this would be a firm commitment to hold the review conference at the end of a designated period. There would not be a question of majority or two-thirds votes or other procedural uncertainties about holding this first conference.

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[3] *Ante*, pp. 205–210.

40. After the treaty has been in operation for some time, the parties will naturally have views as to whether a measure banning emplacement of weapons of mass destruction is adequate in contributing to a peaceful régime on the ocean floor and to the security of all nations. The parties will certainly be aware of whether new developments in the fields of ocean and military technology have led to prospects, not now foreseen, for destabilizing arms competitions involving the sea-bed. Any proposals which participants in the review conference believed to be constructive could, and undoubtedly would, be put forward for negotiation.

41. The fact that the review conference would be set for five years after entry into force does not, however, mean that there could be no consideration of further prohibitions until that time. Undoubtedly parties that believed additional obligations were warranted would begin diplomatic soundings well before the review conference. Moreover, if a strong need were felt for a substantial amendment, for example two or three years after entry into force, then an amendment could be proposed pursuant to article IV, and appropriate diplomatic activity would ensue.

42. It is our belief, however, that five years after entry into force is a reasonable time for holding a review conference. The technology relating to the oceans is in the process of development. It is within a period of roughly five years that we may witness the sort of changes and advances that may permit us to see more clearly whether and how we ought to move towards prohibitions on a broader range of activities.

43. We sometimes concede for convenience that the United States proposal can be described as a "limited" one in that it focuses on prohibiting emplacement of weapons of mass destruction. The word "limited" may, however, convey a negative impression that is not justified. The United States proposal, if adopted, would be an important step in arms control relating to the oceans. It would be a treaty which, in addition to achieving a significant measure of nuclear arms control, would ensure through the review provision that all possible aspects of sea-bed arms control—nuclear and conventional—were subject to periodic scrutiny and negotiation when that was appropriate. And the treaty would provide a treaty framework, already in being for whatever additional measures the parties might judge desirable.

44. I should like to turn now to a second thread which has run through our informal talks. What is the significance of the United States proposal for countries which now have no capability or intention of emplacing nuclear weapons on the sea-bed? How can those countries participate in making the United States measure an effective international instrument? Let me respond to the question of participation first.

45. The question of participation relates, of course, to verification. Under the United States proposal, verification would be based on observation and consultation. Earlier, in presenting the treaty to this Committee in May, we described why we believe this is a simple and appropriate approach in the light of the character of the prohibition

we propose,[4] so I shall not repeat those particular considerations now.

46. Regarding the extent of participation by parties generally, however, it should be recognized that some types of observation can be carried out by almost all coastal States. The emplacement on the sea-bed of nuclear-weapon systems would in practice entail a good deal of surface activity. That activity would generally not be difficult to spot: in fact it would be almost impossible to carry it out clandestinely. There are few coastal States that do not have airplanes or ships able to keep watch over the waters in their vicinity. There would be few parties to a sea-bed treaty that would be unable, should they desire, to arrange for divers, even commercial divers whose services are available internationally, to investigate any suspicious situation in areas of the continental shelf adjacent to their territories. The procedures we have suggested, based on existing international rights, are therefore not only of practical significance for those countries that are most advanced in marine technology. Those procedures are meaningful for virtually all coastal States.

47. It is true that verification on the sea-bed is and will remain difficult in the deep ocean environment. There even the countries that have worked hardest to develop a capability will be severely limited and will have to be willing to undertake heavy expenses to perform any major under-water searches. In fact, a deep ocean search can be contemplated only under rather restricted conditions, that is, for a fairly large object whose location is known rather precisely.

48. Having in mind that most parties are not likely to be able to conduct deep sea-bed verification on their own, several delegations have asked us whether we think new international arrangements would be a good idea. We think that suggestions for such arrangements imply a greater capability to perform deep ocean searches than the facts at present justify. We are still learning the basic features of the deep ocean environment. Despite substantial efforts, our capabilities are still rudimentary. In this threshold stage it seems to us unwise to attempt to establish formal new international arrangements. In particular, we do not see how an international organization could now be established, staffed and equipped to perform tasks concerning which we have so little experience.

49. Similar considerations lead us to believe that it is not desirable at this time to spell out explicit provisions—that it to say, commitments—for providing third-party assistance. As the treaty enters into force and the parties gain experience in its operation we can reasonably foresee that States with mutual interests in particular areas of the sea-bed will work out consultations or other arrangements with one another. As a practical matter, we cannot imagine a situation in which a party with reasonable grounds for suspecting a violation of the treaty could not elicit the co-operation of other parties whose security interests would be served by the continued effectiveness of the treaty. We think that international co-operation of that nature would be more effective than procedures legislated in advance of the facts. Then, if such arrangements proved useful and it appeared desirable to have some sort of prescribed international framework, the review

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[4] *Ante*, pp. 213–218.

conference could consider ways to define and establish more specific procedures.

50. In contrast, an effort to formulate now a treaty obligation for third-party assistance would inevitably increase the complexity of our negotiations. A formal requirement to assist any complaining State could not be accepted without examining the possible need for criteria in the treaty to establish that a *prima facie* case had been presented that would justify the effort and expense, and perhaps even the hazards, of a verification operation.

51. Moreover, a formal obligation to assist would have to be accompanied by some provisions or understandings governing priorities as between different verification needs. That would not be a remote or hypothetical problem. The equipment capable of carrying out some types of verification is in extremely short supply in the entire world. It is conceivable that several equally plausible verification requests could occur at the same time. In addition, assistance might perhaps be sought more often from one qualified party than from another. At what point in such a situation would the requested party be justified in turning down a request? To what extent would a country capable of assistance be justified in withholding its equipment on a stand-by basis to serve its own legitimate purposes, such as research, salvage or rescue? Obviously, again, those could be complicated matters, which we think it would be well to avoid at this time.

52. As my final point let me discuss the significance which the United States proposed treaty would have for countries other than the nuclear-weapon Powers. As a practical matter, the prohibition in the United States treaty would, of course, primarily restrict the nuclear weapon States. This was pointed out most eloquently by the representative of Japan, Ambassador Asakai, in his statement of 17 July. We are also indebted to Ambassador Asakai for calling attention to the relationship of our proposal to other measures. Ambassador Asakai said:

> We are all aware how difficult it is to check the arms race once it gets started. Indeed, the successful conclusion of the Antarctic Treaty[5] and of the outer-space Treaty[6] was due to a large extent to the preventive nature of the provisions in those Treaties, which were introduced before the arms race in those areas actually started. It is for that reason that we are convinced that measures should be taken immediately to prohibit nuclear and other weapons of mass destruction on the sea-bed and the ocean floor before it is too late. We believe that such measures, if taken now, would not affect the balance of power in the deterrents of the super-Powers. Moreover, such a course of action would be in line with article VI of the non-proliferation Treaty, which states:
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> 'Each of the Parties to the Treaty undertakes to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date . . . '.[7]

We in the United States delegation fully agree with that view, and hope that others will share the sense of urgency which was expressed by Ambassador Asakai.

53. There may, however, be some who are inclined to question the need for prompt action, or who may believe that the threat is

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[5] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[6] *Ibid., 1967*, pp. 38–43.
[7] ENDC/PV.420, pp. 6–7.

only hypothetical. Such a conclusion, in our view, would not be prudent. Technology may develop with astonishing speed. The positions of governments may change unexpectedly. Military and technical possibilities which now may seem remote could rather abruptly become imminent and accordingly much more difficult to control. We should not miss an opportunity that exists now. And this need not happen.

54. Let me summarize the United States approach. What we propose is feasible now. Our proposal is simple, clear, and unambiguous, and the possibility of additional elements can be considered at a later date with the advantage of more experience.

55. Time and again it has been acknowledged that the nuclear arms race must be curbed and that all States have an interest in this problem by virtue of the vulnerability of every State to the ravages of nuclear war. The measure which the United States proposes regarding the sea-beds would close off emplacement of nuclear weapons in more than 100 million square miles of the earth's surface. It would be a worth-while step in the control of nuclear armaments. It would be a measure in the interests of all States.

56. Before concluding my statement today I should like to say a few brief words on another subject: the recent initiative of the United Kingdom in submitting to this Committee a draft treaty concerning the control of biological weapons.[8] It is plain to us, from having heard the most interesting presentation of Mr. Mulley[9] and from having begun our study of the British draft, that the United Kingdom's proposal is indeed a serious one, reflecting hard work and a genuine desire to contribute to the efforts of this Committee. The United States Government has under intensive study this summer the full range of policy issues relating to chemical and biological weapons, including those raised by the United Kingdom draft; and at this point we must reserve our position on them. We nevertheless welcome and will take full account of initiatives, such as that of the United Kingdom, which are put forward on the basis of serious research in an effort to find areas which, by mutual consent, can be excluded from the arms race.

57. There has, of course, already been considerable informal discussion regarding the United Kingdom proposal. We understand that some delegations are concerned whether it would be a sound procedure to consider the problem of biological weapons separately from that of chemical weapons. We also have thought about this question. We are not clear in our own minds whether it would be desirable to conclude a separate measure relating only to biological weapons. But we certainly must be prepared to study seriously any proposal that may offer promise or that may help us in understanding the various issues involved. The proposal of the United Kingdom delegation will stimulate discussion of many important questions of arms control—questions of verification, questions of assurances, and the like.

58. Before we determine whether or not any proposal is a sound and a practical one, we should consider all of its political and technical aspects on their merits. In particular, it appears to us that the United Kingdom delegation has made a valid point in noting that

[8] *Ante*, pp. 324–326.
[9] *Ante*, pp. 318–324.

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biological weapons have never been used and that their characteristics and effects are different from those of chemical weapons. The experts' report prepared under the supervision of the Secretary-General has provided us with a detailed discussion of these differences.[10] There is thus, at the least, a *prima facie* case for separate consideration of biological weapons.

59. President Nixon has instructed the United States delegation to join with other delegations in examining carefully any possibilities for reliable arms control in this field.[11] Accordingly we would suggest that, if the United Kingdom proposal is broadly supported in principle, a working group be created to discuss technical and other aspects. In any event, we hope that all delegations in this Committee will participate in serious discussion of the issues involved in the United Kingdom proposal.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee, July 22, 1969 [1]

60. Before proceeding to the statement which the Soviet delegation intends to make today on the substance of the questions under consideration in the Committee, we should like to associate ourselves with the congratulations addressed by you, Mr. Chairman, and also by the representative of the Polish People's Republic, to the United States delegation in connexion with the successful landing of the American astronauts on the moon.

61. The landing of the first men on the moon is an outstanding event in the history of all mankind, opening a new important page in further conquest of outer space and the exploration of other celestial bodies of the solar system. The flight to the moon of the American astronauts Armstrong, Aldrin and Collins, whose names are familiar to the whole world today, is a brilliant example of courage and a supreme achievement of the human mind. We hope from the bottom of our hearts that the crew of Apollo II will successfully complete their courageous flight and return safely to the earth.

62. Turning to questions of substance, we should like to observe that the Soviet delegation intends to put forward in its statement today some considerations on the question of prohibiting chemical and bacteriological weapons. First of all, we should like to emphasize that the recently-received report of the Secretary-General of the United Nations, U Thant, on chemical and bacteriological (biological) weapons and the effects of their possible use,[2] which was prepared on the recommendation of our Committee and in pursuance of a resolution of the United Nations General Assembly [3] will undoubtedly be

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[10] *Ante*, pp. 264–298.
[11] *Ante*, pp. 300–301.
[1] ENDC/PV. 421, pp. 20–27.
[2] *Ante*, pp. 264–298.
[3] *Documents on Disarmament, 1968*, pp. 793–795.

conducive to fruitful discussion of this question. The Soviet delegation regards this report, prepared by a group of qualified consultant experts, as an important document likely to facilitate solution of the problem of the complete prohibition of chemical and bacteriological means of warfare.

63. We are carefully studying the report, and we believe that its scientifically-sound evaluations of chemical and bacteriological (biological) weapons and of the effects of their possible use, as well as its conclusions, should act as a stimulus to the intensification of efforts aimed at reliably protecting mankind from the dangers inherent in a war involving the use of means of mass destruction such as chemical and bacteriological (biological) weapons. Availing itself of this opportunity, the Soviet delegation would like to express its gratitude to the Secretary-General of the United Nations, to the experts who compiled the report and to the members of the United Nations Secretariat for the great and useful work which they have done.

64. The Soviet Union has always steadfastly urged that the peoples should be saved from the threat of chemical and bacteriological warfare and that everything should be done to solve the problem of the complete and effective prohibition of chemical and bacteriological weapons. It was precisely with these aims in view that this question was raised as one of the most important tasks in the Memorandum of the Soviet Government of 1 July 1968 on some urgent measures for stopping the arms race and for disarmament.[4] That Memorandum contains an urgent appeal to all States to consider once again ways and means of securing the observance by all countries of the Geneva Protocol of 1925 for the prohibition of the use of chemical and bacteriological weapons.[5]

65. We note with satisfaction that during the discussion of this important question both in the Committee on Disarmament and in the General Assembly of the United Nations the delegations of many countries expressed themselves in favour of taking steps as soon as possible to exclude chemical and bacteriological means of warfare completely and for ever from the life of mankind. We listened with great interest to the statement made today by the representative of Poland on the subject of chemical and bacteriological weapons, and we must quite definitely emphasize that the conclusions and positions which have been expounded today in the statement of the representative of Poland meet with our full support.

66. The report presented by the Secretary-General of the United Nations, in describing chemical and bacteriological means of warfare as weapons of mass destruction, notes that these weapons stand out in a class of their own among all armaments, since they are the only ones which exercise their effects solely on living, organic matter. The particular danger of chemical and bacteriological (biological) weapons consists in the fact that their large-scale effects could lead to disastrous and irreversible consequences for the balance of nature. The report of the Secretary-General states:

> The momentum of the arms race would clearly decrease if the production of these weapons were effectively and unconditionally banned. Their use, which

[4] *Ibid.*, pp. 466–470.
[5] The protocol appears *post*, pp. 764–765.

could cause an enormous loss of human life, has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations. The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.[6]

67. Thus, if we wish to save mankind from chemical and biological means of warfare, it is necessary to prohibit them completely and for ever. To that end there is a good basis from which we should proceed—the Geneva Protocol of 1925, which has stood the test of time and was a serious deterrent to the use of chemical and bacteriological weapons in the Second World War. Since the Second World War a further number of States have acceded to the Geneva Protocol, and its international importance has been reinforced by United Nations General Assembly resolutions 2162 B (XXI) of 5 December 1966 [7] and 2454 A (XXIII) of 20 December 1968, which called for "strict observance by all States of the principles and objectives" of the Geneva Protocol and invited all States to accede to it.

68. It is pointed out in the report of the Secretary-General that the Geneva Protocol established

. . . a custom and hence a standard of international law, and in practice most States have adhered to the principle that no one should resort to the use of such weapons.[8]

In advocating the complete prohibition of chemical and biological weapons, the Soviet Union considers that accession to the Geneva Protocol by all States which have not yet become parties to it is a matter of importance and urgency. The Secretary-General also found it necessary in his Foreword to the report to "renew the appeal to all States to accede to the Geneva Protocol of 1925." [9]

69. The discussion which has developed in the Committee shows that the members of the Committee agree in holding the opinion that the question of the prohibition of chemical and bacteriological weapons has a top priority. We have heard a number of interesting and informative statements on this problem. Some delegations have submitted specific documents to the Committee. At today's meeting the delegation of the People's Republic of Poland submitted a document which in our opinion deserves the closest attention and consideration.[10]

70. At one of the previous meetings the United Kingdom delegation tabled a draft convention on the prohibition of biological methods of warfare,[11] which is being thoroughly studied by the Soviet delegation. Reserving the right to comment on the proposals submitted by the United Kingdom delegation in greater detail later, we should like today to set forth some considerations of a general nature.

71. The United Kingdom proposal puts forward the principle of treating the prohibition of chemical weapons and that of biological

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[6] *Ante*, p. 298.
[7] *Documents on Disarmament, 1966*, pp. 798–799.
[8] *Ante*, p. 269.
[9] *Ante*, p. 267.
[10] *Ante*, pp. 328–329.
[11] *Ante*, pp. 324–326.

weapons separately. The United Kingdom representative, Mr. Mulley, said as far back as last year that it was necessary to start settling the question of the prohibition of chemical and biological weapons by concluding a separate agreement relating only to the prohibition of biological weapons.[12] Speaking at the Committee's meeting on 10 July this year, he confirmed that position by stating that

> . . . if we try to tackle biological and chemical methods of warfare simultaneously, far from making progress on both fronts we shall not make the rapid progress we want and, I am sure, the whole world wants.

In this connexion Mr. Mulley emphasized that—

> . . . since chemical weapons pose a more difficult problem than biological weapons, . . . the right course is to make a start by banning not merely the use but the actual production and possession of biological weapons.[13]

72. The question arises whether the approach suggested by the United Kingdom side will be a correct one. It is no accident that for many decades chemical and biological means of warfare have been treated together, and the prohibition of the use of these types of weapons represents a single, generally-recognized rule of international law. The problems of chemical and bacteriological weapons are treated jointly not only in the Geneva Protocol of 1925 itself, but also in a number of important resolutions of the United Nations General Assembly, including those resolutions to which I have already had the honour to refer, namely 2162 B (XXI) and 2454 A (XXIII).

73. A number of objective factors substantiate this joint approach to the problem of chemical and bacteriological weapons.

74. First of all, both these types of weapons are means of mass destruction of human beings and are solely designed, as the report by the experts indicates, to strike down the forces of belligerents and the civilian population and to destroy organic matter. Neither chemical nor biological means of warfare damage industrial or military installations, structures, etc. Incidentally, that is the difference between those means of warfare and the other type of weapons of mass destruction—nuclear weapons.

75. That the problems relating to chemical and biological weapons should be treated and settled together is also confirmed by the fact that in a number of cases it is extremely difficult, and in some quite impossible, to draw a distinction between particular agents. In this respect the report of the United Nations Secretary-General says:

> All biological processes depend upon chemical or physico-chemical reactions, and what may be regarded today as a biological agent could, tomorrow, as knowledge advances, be treated as chemical.[14]

76. It is common knowledge that the means of delivery of both chemical and bacteriological agents are practically the same. This is also pointed out in the report of the United Nations Secretary-General:

> Bacteriological (biological) agents can, in principle, be loaded into the same type of munitions as can chemical agents.[15]

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[12] ENDC/PV.381, pp. 32–33.
[13] *Ante*, p. 320.
[14] *Ante*, pp. 271–272.
[15] *Ante*, p. 282.

It is also known that in the armed forces of many countries the same services deal with questions relating to chemical and to biological means of warfare and protection from them.

77. No doubt members of the Committee will recall that when, at the suggestion of Poland,[16] the question of preparing a report on the effects of the possible use of chemical and bacteriological weapons was being discussed last year, an attempt was made to separate one question from the other and conduct research only on one of those means of warfare.[17] However, that proposal had no success and was rejected, and the Committee unanimously approved the decision to ask the United Nations General Assembly to request the Secretary-General to prepare a report on the effects of the possible use of both chemical and biological means of warfare.[18] This proposal was later adopted by the General Assembly.[19]

78. The attempt to divide the problem into two parts and to deal at the present time only with biological means of warfare would result in the problem of the complete prohibition of chemical weapons being virtually postponed indefinitely. The question arises whether the prohibition of biological weapons alone would not lead to intensifying the chemical arms race. This question stems from the fear lest there should come about a situation fraught with serious consequences. It cannot be denied that the danger of chemical weapons being used is, precisely in present-day circumstances, more real. These weapons have been used on many occasions and on a fairly large scale. The report cites figures giving the number of casualties resulting from the use of chemical weapons among the belligerents during the First World War. Even the chemical arms race itself in these days results in victims, in the poisoning of human beings and animals. The danger inherent in the production and stockpiling of such weapons has been given wide publicity at the present time, even in the last few days, and has aroused justifiable concern in public opinion in various countries of the world. In regard to the use of biological means of warfare, the Secretary-General's report indicates that "There is no military experience of the use of bacteriological (biological) agents as weapons of war . . ."[20].

79. In comparing chemical and bacteriological weapons we have no intention at all of underestimating the importance of the problem of prohibiting biological weapons; but we should like to emphasize in the clearest possible manner that the prohibition of biological weapons alone, without the simultaneous prohibition of chemical means of warfare, would be wrong, because the production and stockpiling of chemical weapons would in fact remain outside the prohibition.

80. At present a number of countries are conducting, and even intensifying, research work with a view to creating chemical substances many times more lethal than those used in the past. The Secretary-General's report stated that—

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[16] ENDC/PV.385, pp. 22–23.
[17] *Documents on Disarmament, 1968*, pp. 561 ff.
[18] *Ibid.*, p. 594.
[19] *Ibid.*, pp. 793–795.
[20] *Ante*, p. 276.

The particular threat posed by chemical weapons today derives from the existence of new, and far more toxic, chemical compounds than were known fifty years ago.[21]

81. It has been asserted here that it is necessary at present to deal with biological weapons alone because, allegedly, the prohibition of the production and stockpiling of chemical means of warfare is a difficult matter. However, no well-founded arguments have been put forward in support of this assertion. The question arises, why is it more difficult to prohibit chemical weapons than biological weapons? In our opinion there are at the present time equal possibilities for the simultaneous prohibition of *chemical and biological weapons*, provided there is the goodwill and the desire to do so on the part of States.

82. That approach is also shared by the authors of the Secretary-General's report and by many members of the Committee. Thus, the representative of Sweden, Mrs. Myrdal, speaking on 20 August 1968 against the separate treatment of chemical and biological weapons, emphasized that all existing types of chemical and bacteriological weapons should be included in one category. Allow me to quote from her statement:

The Swedish delegation wants to state that to our mind the weightier arguments speak in favour of an attempt not to separate the treatment of B weapons from that of C weapons.[22]

Today we have also heard the point of view expressed on this question by the Polish representative, who convincingly showed in his statement that questions relating to the production and stockpiling of chemical and bacteriological weapons should be dealt with together.

83. The Soviet delegation supports the recommendation of the United Nations Secretary-General that all countries should

. . . reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.[23]

84. We should like also to emphasize that the division of the question of the prohibition of chemical and bacteriological (biological) weapons into two parts would lead to the weakening and undermining of the Geneva Protocol, in which both of those questions are dealt with simultaneously. Apparently it is no coincidence that the United Kingdom draft convention proposes the undertaking anew of the obligation not to use biological weapons, as though no such prohibition existed, although, as we know, it is quite definitely laid down in the Geneva Protocol of 1925.

85. We should like once more to emphasize most strongly that our task is not only to prevent the weakening of the Geneva Protocol but also, and on the contrary, to seek to strengthen it through its strict observance and the accession to it of all States.

86. The position of the Soviet Union on the question of chemical and biological weapons is clear and definite. The Soviet Union is in favour of the effective prohibition of chemical and biological means

[21] *Ante*, p. 271.
[22] ENDC/PV.391, pp. 10–11.
[23] *Ante*, p. 267.

of warfare. At the session of the Supreme Soviet of the USSR on 10 July this year the Minister of Foreign Affairs of the Soviet Union, Mr. A. A. Gromyko, expressed the hope that–

> . . . this question will be settled by States with all the requisite responsibility, and that in the not too distant future an appropriate agreement, confirmed in accordance wih international legal procedure, will be achieved.[24]

The Soviet delegation in the Committee is prepared, for its part, to do everything possible to achieve that important, noble and humane goal.

Statement by Deputy Assistant Secretary of State Farley to the Subcommittee on National Security Policy and Scientific Developments of the House Foreign Affairs Committee: Moratorium on MIRV Testing, July 24, 1969 [1]

I understand that this Committee has under study the question of the advisability of a moratorium on MIRV testing. While I was recently nominated Deputy Director of the Arms Control and Disarmament Agency, I accepted the invitation to appear today on behalf of the Department of State. I have been a principal participant on behalf of the State Department during the preparation of the United States position for the forthcoming U.S.-Soviet talks on Strategic Arms Limitations (SALT). I am scheduled to be the Alternate United States Representative when these talks commence, which we hope will be within the next few weeks.

The spirit in which the United States approaches these talks was explained by Secretary of State Rogers on July 2. Because his remarks also explain the spirit in which we are now considering the question of a moratorium on MIRV testing, it is pertinent to quote them at this time.

> . . . the United States will enter into SALT with the hope that talks will provide an opportunity for progress in halting the arms race, in limiting international tension, and most hopefully in building an international structure aimed at a more peaceful and secure world.
>
> By the same token, since the terms of reference of SALT go to the heart of the security of the American people and that of our allies, the administration has the responsibility to approach these talks carefully and after a thorough review of the issues at stake. This has been our approach and will continue to be our approach.
>
> We do believe, though, that there may be a mutuality of interest between the U.S. and the U.S.S.R. in halting the arms race, and in that hope and with the thought that we may be presented with an unusual opportunity to make progress in this area by negotiations rather than confrontations, we are looking forward to the beginning of these talks.[2]

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[24] *Ante*, p. 316 (variant translation).

[1] *Diplomatic and Strategic Impact of Multiple Warhead Missiles: Hearings Before the Subcommittee on National Security Policy and Scientific Developments of the Committee on Foreign Affairs, House of Representatives, Ninety-first Congress, First Session*, pp. 200–201.

[2] *Ante*, p. 299.

The case for a moratorium on MIRV testing is, as we understand it, that one of the major conceivable ways of limiting strategic arms and their future buildup would be to forestall the introduction of MIRVs. In the absence of a ban, MIRVs would be a major multiplier of the number of nuclear weapons deliverable by each side. Since, once MIRVs have been developed, deployment seems not to be verifiable by external national means—and even verification by on-site inspection could require very difficult and extensive operations—the practical way to get at MIRV deployment in any SALT agreement appears to be by controlling testing, so that MIRVs cannot be proven out and thus could not be prudently deployed. If a ban on MIRV testing is to be kept open as a possibility in a SALT agreement, a moratorium on MIRV testing during negotiations, which might be protracted, would be the way to keep this possibility open.

The case which I have just summarized has been powerfully argued, among others, by members of both houses of Congress and by witnesses before this and other Congressional committees. I want to assure you that responsible officials in the various agencies of the Executive Branch engaged in the exhaustive studies relating to our SALT position have also identified and taken into account the arguments for such a course. As the President said in his June 19 press conference, "We are considering the possibility of a moratorium on tests as part of an arms control agreement." [3] He went on to reject a unilateral stopping of tests by the United States.

As we approach the later stages of our preparations and the prospective opening of talks the situation remains that this is a matter under the most thorough study. For the question is not an easy one. The potential role of MIRVs in the future strategic balance is not a simple issue. They may be a means of maintaining a retaliatory capability, through their capability of penetrating potential heavy ABM defenses of cities. On the other hand, they can be a threat to a retaliatory capability, and thus to the maintenance of a stable state of mutual deterrence, thereby increasing the need for ABM defense of retaliatory forces. Depending on the strategic purposes of either side, and on the characteristics and capabilities of the MIRV systems themselves, the role of MIRVs can differ considerably, and along with that their proper place in a SALT agreement.

If we do find that it is appropriate to attempt to ban MIRVs, there is a difficult and serious problem which we still have under study as to whether, if testing of MIRVs were to be banned at the stage reached now or in the near future, deployment would be possible by one side or the other for its strategic purposes, on the basis of the experience already gained. Opinions have been expressed to your Committee that the U.S.S.R. could not do so with confidence; contrary views, to the effect that the Soviets could proceed to deployment if necessary without further testing, are also argued. Judgment between these conflicting views is not easy for those responsible for the security of the United States and for the maintenance of our retaliatory capability.

And there are problems of verification of a moratorium or ban on MIRV testing. We know a good deal now about Soviet testing of multiple re-entry vehicles. But we are not yet clear whether, under

[3] *Ante*, p. 255.

conditions of a moratorium or ban and in event of a deliberate effort to evade, we could detect some testing aimed at further MIRV/MRV development particularly by national means alone.

Your Committee's inquiry may shed new light on the desirability of a moratorium and ban of MIRV testing, and the feasibility of monitoring any such arrangement. However, I am certain you appreciate that the very timeliness of your hearings complicate my position. We believe that the forthcoming talks should be conducted with as much privacy as possible, so that both sides will approach them in a nonpropagandistic fashion and be better able to maintain flexibility in negotiations. This is one reason for discretion in discussing publicly possible elements of a negotiating position. Another reason is our understandable desire to protect our bargaining position at the negotiating table. Finally, I do not wish to pre-judge United States policy which may not be finally formulated or which, prior to the beginning of talks, may only exist in preliminary form. This applies not only to MIRV testing but to related weapons issues.

For these reasons I have confined my unclassified remarks to the above general observations. I hope they make clear our awareness of what is at stake and the responsible way in which we are considering both the possible advantage of a MIRV testing moratorium and ban, and the security interests of the United States which must be protected in what we do. I will try to answer more detailed questions in executive session.

Mr. FARLEY. I am prepared to take your question, Mr. Chairman.

It seemed to me, as I listened to the earlier part of the discussion, that I might volunteer one further comment which I didn't address specifically and that is what is our view on proposing a moratorium on MIRV testing before we begin negotiations, because I don't think I really addressed that in these prepared remarks.

If you would like I would say a word on that and then open myself to questions.

Mr. ZABLOCKI. Please do.

Mr. FARLEY. [Security deletion.]

Mr. ZABLOCKI. Thank you, Mr. Farley.

I am sure the committee, as I, appreciate your addendum to the prepared public statement because it will be the source of most of our questions.

At the outset, I would like to say we appreciate your observation, albeit a bit guarded, that our subcommittee may shed light on the desirability of a MIRV moratorium.

You do not believe that our hearings in any way will cause problems for the SALT talks?

Mr. FARLEY. Quite to the contrary.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee: Sea-Bed and Ocean Floor, July 29, 1969 [1]

38. Permit me first of all to associate myself with the congratulations expressed by you, Mr. Chairman, and by other participants in the Conference to the United States delegation in connexion with the successful completion of the remarkable flight of the spacecraft Apollo 11. We believe that the success achieved by man in outer space should be for States, and for us in the Committee, a new stimulus to solution of those great and important problems which face mankind on earth.

39. Among the questions under active consideration for some time past in our Committee, that of the prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof occupies an important place. During recent meetings of the Committee in its present session, including today's meeting, we have heard a number of statements on this question which are of great interest and deserve to be studied by us. The attention given to this problem reflects the manifested wide understanding both of the need to prevent the unleashing of an arms race on the sea-bed and the ocean floor, and of the role which the elaboration and signing of an appropriate agreement could play in further progress in the cause of disarmament. This understanding is a positive factor showing that we have realistic possibilities of working out mutually-acceptable solutions of the problem of prohibiting the use for military purposes of the sea-bed and the ocean floor.

40. As many delegations have quite rightly pointed out, the most important aspects of this problem are the scope of the prohibition, the area to be covered by a future treaty, and the control over the observance of its provisions. It is precisely towards the solution of these questions that the Committee should direct its efforts. If we succeed in the Committee in concording the positions on these questions, it will be much easier to settle other problems connected with the prohibition of the military use of the sea-bed and the ocean floor and touched upon in the statements of a number of delegations, such as for instance the wording of the provisions of the preamble, the final clauses of the treaty and so on.

41. During the spring session the Soviet delegation explained the USSR position on the basic aspects of the problem under consideration. Today we should like to make some additional comments and put forward a number of considerations in connexion with the statements made by several delegations in the Committee.

42. The most important part of the problem under consideration is the question of the scope of the prohibition of military activities on the sea-bed. On this question two basic positions, as formulated in the Soviet and United States draft treaties respectively, have been put forward in the Committee.[2] In considering the question of the

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[1] ENDC/PV. 423, pp. 15–22.
[2] *Ante*, pp. 112–113, 211–213.

scope of the prohibition of the military use of the sea-bed, we should be guided by the aim set before our Committee in this field, namely to prevent the unleashing of an arms race on the sea-bed and the ocean floor. The Soviet draft provides for the complete demilitarization of the sea-bed and ensures to the greatest extent the fulfilment of this task. It is aimed at completely averting and stopping an arms race and closing the way to military rivalry between States on the sea-bed.

43. On the contrary, the United States draft, as is well known, is limited to prohibiting the emplacement on the sea-bed of weapons of mass destruction and of certain means of their delivery, namely, launching platforms. In his statement on 22 July the representative of the United States, Mr. Leonard, arguing the American thesis of the impossibility of the complete demilitarization of the sea-bed, said:

> . . . some non-nuclear but very clearly military uses of the sea-bed are strictly defensive, are presently essential to our security and that of others and therefore must not be subject to treaty prohibitions.[3]

44. If we take the path of excluding from the prohibition certain categories of weapons, then in this specific field the same vicious circle may be created which has characterized the whole history of the arms race. Experience has shown that the emergence of new means of warfare and their development by one side induces the other side to improve the weapons which it possesses and to develop such types of these weapons as would reduce or altogether neutralize the effectiveness of the weapons of the other side. Exceptions from the prohibition could lead to the result that States would continue to engage in an arms race on the sea-bed.

45. In support of the thesis of the need to prohibit the emplacement on the sea-bed of weapons of mass destruction only, the representative of the United States asserted that

> . . . realistic possibilities do not now and will not soon exist for conventional military uses of the sea-bed that would be threatening to the territories of States.[3]

One can hardly agree with such an assertion. First of all, we do not see any grounds for limiting the problem of prohibiting military activities on the sea-bed to the prohibition of the emplacement on the sea-bed and the ocean floor only of such weapons as could be used for striking against the territories of States. We believe that weapons which may be designed to strike at ships and to disrupt sea communications with a view to interrupting economic and trade relations between States represent no less a danger to peace and world security. We must consider the question of prohibiting the emplacement of both nuclear and conventional weapons on the sea-bed in its entirety without trying to introduce any artificial limitations.

46. As to the possibilities of the development of a conventional arms race on the sea-bed, they may prove in practice no less realistic than the use of this sphere for the emplacement of nuclear weapons. As far back as the Second World War wide use was made of ground mines, surfacing mines (without contact) and later also of torpedo

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[3] *Ante*, p. 331.

mines which, when a ship passed over them, would surface and overtake the ship. With the present rates of development of science and technology one cannot rule out the possibility of the emergence of new types of conventional weapons which could be used to strike from the sea-bed both at ships and at the territories of States. The United States representative himself in his statement on 22 July admitted the possibility of a rapid development of military technology for use on the sea-bed and the ocean floor. He said:

> Military and technical possibilities which now may seem remote could rather abruptly become imminent and accordingly much more difficult to control.[4]

47. Thus it is impossible to agree with the argument that "realistic possibilities" do not now and will not soon exist for conventional military uses of the sea-bed. Objective data point to the contrary: namely that there exists in this direction the definite possibility of an arms race. Many delegations have rightly stressed that it would be insufficient to prohibit the emplacement on the sea-bed of weapons of mass destruction only. The comprehensive ban proposed by the Soviet Union guarantees to the greatest extent the turning of the sea-bed into a sphere for the exclusively peaceful activities of man and the prevention of the development of an arms race there.

48. A question relating to prohibition of the military use of the sea-bed is that of establishing a form of control over the observance by States of their obligations under the treaty. The Soviet side believes that the main criterion by which we should be guided in elaborating appropriate control provisions must be that the control should be effective and should correspond to the purposes of the treaty. That is the basis for our belief that control should include the right of access to installations and structures on the sea-bed and the ocean floor for all States parties to the treaty without any discrimination. Such a form of control would provide assurance of the fulfilment of the treaty by the parties to it.

49. On the question of control, the United States has suggested that we should limit ourselves to securing for the parties to the treaty, only the right to observe the activities of States on the sea-bed and the ocean floor.[5] It can be pointed out that the right of access to any installation on the sea-bed provided for in the Soviet draft also allows for the possibility of observing the activities of States on the high seas. At the present time there is an international legal basis for carrying out such observation—the universally-recognized principle of the high seas. But will that be enough? We believe that the States parties to the treaty should be given more positive rights ensuring effective control over the fulfilment of obligations under the treaty banning the use of the sea-bed for military purposes. It is precisely this need that the form of control proposed by the Soviet Union has taken into account.

50. During the discussion of this question the United States delegation has expressed doubts about the feasibility of control in the event of the complete demilitarization of the sea-bed. We cannot agree with that view. As we have already pointed out, when there

[4] *Ante*, p. 335.
[5] *Ante*, p. 137.

is complete demilitarization of the sea-bed there must be no military objects there, and the parties to the treaty would only have to be convinced that the existing objects were of a peaceful nature. In the case of a partial ban, however, a considerable number of military objects would be located on the sea-bed and in each specific case States would be faced with a very difficult problem, namely the need to decide whether a given object related to a type of activity permitted or prohibited by the treaty.

51. Furthermore, the practical exercise of control in the conditions of a partial ban on military activities on the sea-bed would be a much more difficult matter, since the verification of objects having a military nature but permitted under the treaty would arouse apprehensions on the part of the States that had placed such objects on the sea-bed in regard to the discovery of their military secrets by the verifying party.

52. In connexion with the argument advanced by the United States delegation concerning the difficulty of control in the conditions of complete demilitarization of the sea-bed, we should like to point out as some other delegations, including that of the United Arab Republic,[6] have done, that verification would in that case be necessary in fact only in respect of certain areas where the emplacement of weapons by a potential violator appeared to be technically feasible and strategically appropriate.

53. I should like now to turn to the question of the area to be covered by the treaty. As is well known, the draft treaty submitted by the Soviet Union proposes the banning of military activities on the sea-bed beyond a twelve-mile coastal zone (article 1). In proposing a twelve-mile zone the Soviet Union was guided, first, by considerations concerning the security of coastal States—and this has been referred to by a number of representatives who have spoken here—and, secondly, by the interests of ensuring the most favourable conditions for the functioning of the system of control.

54. The need to ensure the security of coastal States has been pointed out by many representatives who have spoken here, in particular by the representative of the United Arab Republic in his statement on 22 July when he said, in this connexion, that his delegation considered "the twelve-mile limit proposed for this zone in the Soviet draft to be a reasonable one".[7]

55. Referring to the importance of ensuring the necessary conditions for the unhindered functioning of the system of control over the fulfilment of the treaty, I should like to note the following. In order to have access to the objects of control (and even in order to observe the various works that are being carried out on the sea-bed), it would be necessary for foreign ships, aircraft and so on to approach these objects. Since many States possess a twelve-mile zone of territorial waters, if a narrower coastal sea zone were established for the purposes of the treaty it would be necessary to obtain the permission of the coastal State for foreign ships to enter those waters or for foreign aircraft to fly over that zone for purposes of control. That could, of course, give rise to difficulties for the unhindered exercise

[6] ENDC/PV. 421, p. 30.
[7] *Ibid.*, p. 32.

of control over the fulfilment by all parties of their obligations under the treaty relating to prohibition of military activities on the sea-bed.

56. The proposal for a three-mile coastal zone put forward by the United States does not take due account of the security of many States and creates the preconditions for unnecessary complications in the organization and operation of the control system. Such complications in regard to control would arise for more than sixty States of the world whose territorial waters are wider than three miles.

57. The twelve-mile zone which we have proposed is thus the optimal solution of the problem from the point of view both of ensuring the security of coastal States and of obviating difficulties in the practical exercise of control. We therefore note with satisfaction that our proposal for a twelve-mile zone has been supported by a number of delegations that have spoken in the Committee.

58. The representative of Japan, Ambassador Asakai, speaking on 17 July, put forward the idea that the treaty banning military activities on the sea-bed "should cover the entire area of the sea-bed and the ocean floor under the high seas and the territorial sea". He asserted that acceptance of that idea

> . . . would have the merit of simplicity. There would be no need to deal with the question of the width of the territorial sea or any other claims for national jurisdiction.

59. In dealing further with the idea which he had put forward, Mr. Asakai had, however, to retreat from his view as to the simplicity of the solution of this problem; and he said:

> The inclusion of the territorial sea in the area to be covered by the treaty leads to the difficult question of verification in the territorial sea. We fully realize that extension of verification measures to the sea-bed under the territorial sea would involve manifold complicated problems.[8]

With this conclusion of his we can certainly agree. Having pointed to the difficulties involved in the implementation of his proposal, the representative of Japan admitted that he could not suggest a solution to these problems. In our opinion the proposal of Japan to extend the treaty to the sea-bed under the territorial waters would greatly complicate the solution of the problem of prohibiting military activities on the sea-bed. In this connexion we fully agree with what he said, namely that in this particular case verification of the sea-bed under territorial waters would raise manifold complicated problems.

60. In concluding these brief remarks and considerations which we wished to put forward in connexion with the controversy which has developed of late in the Committee, we should like to express the hope that the delegations will manifest a constructive approach and good will in searching for mutually-acceptable solutions of the problem under consideration. This would allow the Committee already at its current session to reach agreement on a draft treaty prohibiting the use of the sea-bed and the ocean floor and the subsoil thereof for military purposes, and to submit the agreed draft together with the Committee's report to the twenty-fourth session of the General Assembly of the United Nations. The Soviet delegation, for its part, is prepared to do all it can for the solution of this problem.

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[8] ENDC/PV. 420, pp. 8–9.

Report of the International Atomic Energy Agency to Secretary-General Thant on Recommendations by the Conference of Non-Nuclear-Weapon States, July 29, 1969 [1]

NOTE BY THE DIRECTOR GENERAL

1. In December 1968 the General Assembly of the United Nations invited the Agency to report to the Secretary-General on the action taken in connexion with recommendations contained in resolutions adopted the previous September by the Conference of Non-Nuclear-Weapon States.[2]

2. The report which was consequently prepared was approved by the Board of Governors last June, when the Board requested the Director-General to make the text available to the General Conference. It is accordingly attached hereto.

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Note: All sums of money are expressed in United States dollars.

*Throughout this report references to the resolutions adopted by the Conference of Non-Nuclear-Weapon States take the general form A.I.1 (a), in which "A" is the letter used to identify the resolution in document A/7277, the roman numeral "I" identifies any separate operative part of the resolution, the Arabic numeral "1" any separate paragraph and "(a)" any separate sub-paragraph.

1. By resolution 2456 A (XXIII), paragraphs 3 and 4, the General Assembly invited the Agency to give careful consideration to the recommendations contained in certain resolutions adopted by the Con-

[1] A/7677, Sept. 24, 1969, annex.

[2] The G.A. resolution appears in *Documents on Disarmament, 1968*, pp. 797–801. For the resolutions of the Conference of Non-Nuclear-Weapon States, see *ibid.*, pp. 668 ff.

ference of Non-Nuclear-Weapon States (CNNWS) and to report on the action taken in this connexion.[3]

2. The Secretary-General of the United Nations transmitted the relevant documentation to the Agency, drawing its attention in particular to resolutions E through N of CNNWS,[4] and requested a report from the Agency by the end of July.

3. The Agency's Board of Governors, which under article VI.F of the Statute has the authority "to carry out the functions of the Agency",[5] accordingly gave initial attention to the matter at its meetings last February and approved the present report in June. In undertaking this task, the Board was conscious of the Agency's obligations under its relationship agreement with the United Nations to do what it could to meet the General Assembly's request. Indeed, the Board was pleased that the Assembly had thus provided an opportunity for the Agency's members, almost all of which are also Members of the United Nations, to consider again in a different setting many of the fundamental matters to which CNNWS had devoted attention last year. On the other hand, the Agency has autonomy under its Statute; it is also the organization in the United Nations family which has the prime responsibility for international action to accelerate and enlarge the contribution that nuclear energy is already making and will increasingly make to the well-being of all mankind. The Board is of the opinion that the recommendations of CNNWS must be viewed by the Agency in the light of all these considerations.

4. Two of the recommendations, i.e. those concerning the role and functions of the Agency in relation to the use of nuclear explosions for peaceful purposes, and the composition of the Agency's Board of Governors [6] were also the subject of resolutions adopted by the Agency's General Conference,[7] which in turn were noted by the General Assembly in resolution 2457 (XXIII).[8] In February the Board decided that these matters were of such importance that they required consideration by special *ad hoc* committees on which all member States of the Agency would have the opportunity of being represented. At the meeting of the committee on the use of nuclear explosives for peaceful purposes twenty-eight members of the Agency were represented; a total of fifty Members participated in the meetings of the committee to review Article VI of the Statute.

5. The wide scope of the resolutions of CNNWS that have been referred to the Agency reflects the desire of countries throughout the world to increase the benefits they can derive from the peaceful uses of atomic energy at a time when nuclear technology is making rapid strides and finding its first large-scale applications in developing countries.

6. While the Agency is actively engaged in many of the activities referred to by CNNWS, the Conference's work will give a spur to existing programmes and help in the planning of new ones.

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[3] G.A. res. 2456 A(XXIII) appears in *Documents on Disarmament, 1968*, pp. 797–799.

[4] For the CNNWS resolutions, see *ibid.*, pp. 675–685.

[5] *American Foreign Policy: Current Documents, 1956*, p. 920.

[6] See res. H (*Documents on Disarmament, 1968*, pp. 678–680).

[7] See *ibid.*, pp. 667–668.

[8] *Ibid.*, pp. 801–802.

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7. The concerted international effort that has already been made to spread the benefits of nuclear science and technology has probably no parallel in other branches of modern technology. Amongst the landmarks have been the three large International Conferences on the Peaceful Uses of Atomic Energy, held in 1955, 1958 and 1964 (and the fourth that is now being prepared for 1971); the setting up of the Agency itself in 1956 and of regional nuclear energy bodies such as the Inter-American Nuclear Energy Commission of the Organization of American States, the European Nuclear Energy Agency of the Organization for Economic Co-operation and Development, and the European Atomic Energy Community at about the same time. Besides these international activities, large bilateral programmes of co-operation have helped to introduce 41 research reactors in developing countries, provided training for several thousand scientists and technicians outside their own countries and finances for nuclear power in the amount of several hundred million dollars.

8. From 1958 through 1968 the Agency itself has been able to draw on resources of approximately $115 million. Of these, approximately $38 million have been made available for direct aid to individual developing countries, and a substantial proportion of the remainder has been spent on work in the developing countries or on work of special interest to them. Under the Agency's programmes, a total of over 3,000 scientists has been trained under fellowships and a further 1,300 in training courses, more than 1,000 experts have been sent into the field, equipment to the value of $5 million has been provided, while over 17,300 scientists and technologists have taken part in 112 Agency seminars, conferences and symposia.

9. The Agency has, however, experienced difficulties in respect of the continuing failure to reach the target set for voluntary contributions from which its operational budget is financed. The recommendations of CNNWS which seek to increase the funds available for the financing of nuclear energy activities were accordingly received sympathetically by the Board which made a study of possible sources of financing.

10. In examining other individual recommendations made by the Conference it is apparent that certain of them are already being put into effect in some measure while others will require extensive preliminary studies and can only be given effect gradually. Still others are addressed to States rather than to the Agency as such, for instance, the recommendation that States should accept the Agency's Safeguards System and conclude agreements for its application to their own activities; nevertheless, this implies considerable effort by the Agency and preparations are already being made. Recommendations such as those concerning access to special fissionable material on a commercial basis and the related question of a fund of special fissionable material are now also being studied. Some recommendations will require the attention of the Agency for many years to come and by their very nature will be implemented gradually; this is the case, for example, with respect to those concerning the improvement and simplification of safeguards and the need for continuing efforts to compile and disseminate information on nuclear science and technology.

11. In these circumstances the present report should be regarded as a progress report. It will be brought to the attention of the Agency's General Conference at its thirteenth (1969) session, and relevant action taken by the latter will be described in this year's annual report of the Agency to the General Assembly. Continuing action in the years ahead will be reflected in subsequent annual reports.

12. With a view to facilitating the General Assembly's discussion of these matters, this report deals individually by subject matter rather than by resolution with each major question referred to in resolutions F through M of CNNWS.

13. The Agency is extending its full co-operation to the Secretary-General in the preparation of the report to the General Assembly, called for by resolution G, on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries,[9] and assigned the Deputy Director-General for Technical Assistance and three other senior staff members to ensure the fullest administrative, technical and scientific support for the group's work.

14. On the invitation of the Agency, the group of experts appointed by the Secretary-General held its first meeting at the Agency's headquarters from 17 to 21 March 1969. The Agency arranged to provide the members of the group in advance with full information about the Agency's work directed towards the scientific and economic advancement of the developing countries, including a review of the Agency's activities that was carried out by the Board of Governors in 1967 with the object of increasing its assistance to developing countries. The secretariat also prepared and presented a series of detailed papers dealing with specific branches of nuclear science or technology and outlining:

(a) The potential benefits that could be achieved in the developing countries by the full application of the scientific discipline or technology concerned;
(b) The problems encountered by the Agency in its efforts to introduce the discipline or technology into the developing countries;
(c) The action that, in the secretariat's view, it would be desirable to take in the next decade to overcome these problems; and
(d) The Agency's plans and programmes in this regard.

15. These presentations covered the following topics:

(a) Nuclear energy applications

(i) Nuclear power;
(ii) Nuclear desalination and agro-industrial complexes;
(iii) Peaceful nuclear explosions; and
(iv) Nuclear materials;

(b) Nuclear science techniques

(i) Nuclear applications in food and agriculture;
(ii) Nuclear applications in hydrology;
(iii) Nuclear applications in medicine and biology; and
(iv) Nuclear applications in industry;

[9] *Ibid.*, p. 678.

(c) Over-all nuclear contribution to scientific infrastructure and advancement in developing countries;
(d) Developing country participation in nuclear information exchange;
(e) Relevance of safeguards to the developing nuclear industry; and
(f) The International Centre for Theoretical Physics, Trieste.

16. At the first meeting, the group of experts prepared a draft outline of the report. The task of preparing the individual chapters of the report was allocated to the members of the group. The Agency co-operated in particular by preparing two specific studies, namely, on prospects of small and medium nuclear reactors with special reference to developing countries, and on nuclear applications in food and agriculture with emphasis on food preservation.

17. The Agency also provided the services of a senior staff member to the United Nations Secretariat upon request, to assist in preparing a draft of the report for consideration by the group at its second meeting, which was convened in New York from 16 to 27 June 1969, and was represented at this meeting by the Deputy Director-General for Technical Assistance and Publications.

18. The first paragraph of resolution F recommends the establishment under the Agency's Board of Governors of institutional machinery on safeguards of which both countries supplying nuclear materials, and member countries, whether possessing nuclear facilities or not shall form part. This recommendation has been brought to the attention of the Board.

19. The second paragraph of the resolution contains three recommendations regarding the objectives that should be followed in the process of improving and simplifying the Agency's Safeguards System.[10] These recommendations are commented on in paragraphs 24 to 34 below. A word should first be said about the continuing steps that are being taken to improve and simplify the system itself and the practices followed in its application.

20. The Safeguards System contains built-in requirements for periodic review in the light of the Agency's experience and of technological progress. The system at present in force is itself the result of a review started in 1964 of an earlier system adopted in 1961. New parts were added in 1966 and 1968.

21. The Board of Governors normally builds up and reviews the system by appointing working groups of specialists drawn from countries represented on the Board. It has been customary that any other member State of the Agency may, if it wishes, send experts to participate in the deliberations. The recommendations of these working groups are subsequently studied and discussed in detail by the Board.

22. Within the secretariat one of the two divisions in the Department of Safeguards is devoted exclusively to research development on safeguards and is at present beginning a full-scale systems analysis which will also draw upon systems analyses being made in member States. Through a growing programme of research co-ordination and of research contracts, the Agency is helping to foster the development

[10] *Ibid.*, pp. 676–677.

of new techniques in member States and its own laboratory. At meetings of panels of experts, of which two or three are now being held each year, technical methods and safeguards practices for specific parts of the fuel cycle are developed or reviewed by leading authorities from the countries most advanced in nuclear technology. Since September 1968, groups of high-level consultants have been studying and developing criteria and practices that should be followed in applying the safeguards system under the Treaty on the Non-Proliferation of Nuclear Weapons. Their work is expected to lead to rationalization and standardization of safeguards practices for nuclear materials in the main types of nuclear facilities and in storage, transport, etc.

23. Sub-paragraph 2(a) of resolution F specifies that:

The safeguard procedures should be simplified by the use of instruments and other technical devices at certain strategic points of the flow of nuclear materials, with a view to restricting the safeguarding operations to the necessary minimum.[11]

Comment

24. This concept is also referred to in the Non-Proliferation Treaty. One of the objects of the Agency's safeguards research and development programme is to develop instrumentation that would enable it to concentrate attention on certain key points or to mechanize safeguards procedures to a greater extent; certain measuring instruments developed by member States are in fact being used experimentally by the Agency.

25. It is generally recognized however, that considerable effort and technological development will be essential before instrumentation can be used on a large scale, and that inspections by trained personnel will continue to be required for effective safeguards.

26. In the meantime, the Agency will continue to work towards the objective contained in this recommendation for the threefold purpose of making the application of safeguards as effective as possible, limiting to the minimum the need for the presence of inspectors and reducing the cost of safeguards.

27. With reference to the desirability of "restricting the safeguards operations to the necessary minimum", the present system contains the specific injunctions that "the Agency shall implement safeguards in a manner designed to avoid hampering a State's economic or technological development" and "the safeguards procedures . . . shall be implemented in a manner designed to be consistent with prudent management practices required for the economic and safe conduct of nuclear activities". These provisions are reflected in the practice of safeguards followed by the Agency. The system further prescribes that the number, duration and intensity of inspections "shall be kept to the minimum consistent with the effective implementation of safeguards".

28. Sub-paragraph 2(b) of resolution F recommends:

Simplification of safeguards in respect to fissionable materials in small quantities for use in scientific research.[12]

[11] *Ibid.*, p. 677.
[12] *Ibid.*

Comment

29. The safeguards system does in fact allow for simpler procedures to be applied to fissionable materials in small quantities for use in scientific research. Facilities holding small quantities are not inspected. The frequency and content of routine reports is reduced in accordance with the significance of the material involved. The procedure for supplying small quantities was recently simplified by the Board of Governors by delegating additional authority to the Director-General.

30. Sub-paragraph 2(c) of resolution F recommends:

> **Incorporation in the agreements of the rules laid down against industrial risks, including industrial espionage, by the Statute of the International Atomic Energy Agency, the decisions of the Board of Governors and the directives of the Director-General, particularly with regard to the possibility of challenging inspectors.[13]**

Comment

31. Rules against industrial espionage are incorporated in safeguards agreements with member States. These rules stipulate *inter alia:*

(a) That the Agency shall "take every precaution to protect commercial and industrial secrets . . . ." "No member of the Agency's staff shall disclose . . . any commercial or industrial secret or any other confidential information coming to his knowledge by reason of the implementation of safeguards by the Agency". The only exception is that such information may be disclosed to the Director-General or persons specifically designated by him who may need such information for their official duties; and

(b) "That the Agency shall not publish or communicate to any State, organization or person, any information obtained by it in connexion with the implementation of safeguards". The only exception is that specific information may be given to the Board or to staff members who need it for their official duties in connexion with safeguards, but only to the extent necessary for the Agency to fulfil its safeguards responsibilities. The Board itself may decide to publish summarized lists of items being safeguarded but if it decides to have additional information published, it may not do so unless all States directly concerned agree.[14]

32. The secretariat maintains an effective system for security classification of papers pertaining to safeguards. This includes information which member States indicate should be treated as confidential. Security measures are also automatically applied in respect of information obtained during inspections.

33. With regard to safeguards inspectors, the relevant rules may be summarized as follows:

(a) The designation of an inspector to carry out duties in a particular State is made in full consultation and with the explicit agreement of that State. The State may withdraw its approval at any time thereafter;

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[13] *Ibid.*
[14] *Ibid., 1965,* p. 448.

(b) The State may arrange for the inspector to be accompanied by representatives of the State concerned; and

(c) The use of any staff member for inspection purposes must be approved by the Board.

34. These rules are incorporated by reference in all safeguards agreements with the Agency and it is expected that these or similar rules will also be incorporated in safeguards agreements to be concluded under the Non-Proliferation Treaty. Furthermore, as all inspectors are staff members, they are bound by the relevant provisions of the Staff Regulations and Rules.

35. Paragraph 3 of resolution F:

> urges the nuclear-weapon Powers to conclude with the International Atomic Energy Agency safeguard agreements consistent with the relevant rules.[15]

Comments

36. It should be noted that two nuclear-weapon States (the United States of America and the United Kingdom of Great Britain and Northern Ireland) have indicated that after the Non-Proliferation Treaty is in force, they will permit the Agency to apply its safeguards on all nuclear activities except those that have a direct national security significance.[16] These two Governments also concluded safeguards agreements with the Agency some time ago that place specified facilities under the Agency's safeguards.[17]

37. In resolution F.4 CNNWS expressed the view that it was essential:

> that rules should be drawn up to avoid duplication of safeguard procedures and consequent commercial discrimination.[18]

Comments

38. The application on a world level of various international and national procedures with respect to safeguards has led to certain duplications where the same nuclear material or facility is subject to the requirements of several procedures simultaneously. This is clearly not inherent to any single system but results from the exercise of multiple controls, often for related or identical purposes.

39. It would seem highly desirable that such duplication be avoided in so far as possible. The extent to which bilateral arrangements are replaced by the Agency's single world-wide safeguards system and that regional arrangements are dovetailed into the Agency's system in such a way as to minimize duplication, will be of great importance in achieving this objective.

40. The difficulties which stand in the way of avoiding duplication in all respects should not, however, be overlooked. In many cases bilateral or regional safeguard arrangements antedate or are contemporary with the international safeguards of the Agency. They are sometimes the consequence of requirements of national legislation in

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[15] *Ibid., 1968*, p. 677.

[16] The treaty appears *ibid.*, pp. 461–465. For the U.S. and U.K. statements, see *ibid., 1967*, pp. 613–616.

[17] See IAEA docs. INFCIRC/57 and 86.

[18] *Documents on Disarmament, 1968*, p. 677.

member States. In other instances, they are the direct result of multinational agreements.

41. A growing number of bilateral arrangements are already being transferred to the Agency. Moreover, a significant step in the same direction was taken by the signatory countries to the Treaty for the Prohibition of Nuclear Weapons in Latin America (signed in Mexico on 14 February 1967).[19] Rather than establishing a separate regional system of control, the Treaty provides that contracting parties shall negotiate agreements with the Agency for the application of its safeguards to their nuclear activities. The first such agreement was concluded recently between Mexico and the Agency and provides also for the suspension of any other safeguards arrangements to which Mexico and the Agency have been party.[20]

42. The first paragraph of resolution H.I calls upon the Agency

> to continue its utmost efforts for compilation and dissemination of public information concerning the peaceful uses of nuclear energy, including those related to the peaceful application of nuclear explosions.[21]

Comments

43. The Statute (article VIII) prescribes that the Agency:

> . . . shall take positive steps to encourage the exchange among its members of information relating to the nature and peaceful uses of atomic energy and shall serve as an intermediary among its members for this purpose.

and that:

> Each member should make available such information as would, in the judgement of the member, be helpful to the agency.[22]

44. Since the beginning, the Agency has had a major and steadily expanding programme to fulfil these requirements and to disseminate the information provided by member States. Most new information is generated in the technically advanced countries that have extensive programmes in nuclear research and development. The Agency's role is thus that of a clearinghouse rather than of a generator of new information. The following is a summary of the services provided by the Agency.

Library service

45. The library now contains over 146,000 items in the form of books, periodicals, technical reports and films, constituting an extensive and up-to-date collection of information on all branches of nuclear science and technology. This is made available in the following ways:

(a) Member States are informed once a month of all main new acquisitions (e.g. books and films) and twice a month of more specialized material (e.g. technical reports); and

(b) Scientific institutions in any member State may obtain any document or film in the library.

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[19] *Ibid., 1967*, pp. 69 ff.

[20] See IAEA doc. INFCIRC/118, Sept. 23, 1968. The agreement entered into force on Sept. 6, 1968.

[21] *Documents on Disarmament, 1968*, p. 679.

[22] *American Foreign Policy: Current Documents, 1956*, p. 921.

Conferences, symposia and other scientific meetings

46. Each year the Agency convenes about twelve major scientific meetings and about thirty to forty smaller meetings. Annual attendance at symposia, conferences and seminars averages about 2,500 participants.

47. *Symposia and conferences* are devoted to the free exchange of the latest information generated by research and development on the topic concerned. About half are held away from the Agency's headquarters so as to facilitate participation by nations of host member States and countries in the region, and serve as a spur to local scientific development. Furthermore, the Agency has recently arranged to pay the travel cost of a limited number of participants from developing countries at each conference or symposium.

48. *Seminars* have a partially educational character and are often organized on a regional basis. Experts lead discussions, and groups of 50–100 persons exchange information on the problems that they face.

49. Smaller meetings such as *panels, study groups and research co-ordination meetings* are attended by experts invited by the Agency, generally on the nomination of member States, and the cost of attendance is usually paid or partly paid by the Agency. They provide opportunities to exchange information in more highly specialized fields or, for example, between holders of Agency research contracts in a particular region.

50. In addition, the General Assembly assigned to the Agency the scientific responsibility for the third United Nations International Conference on the Peaceful Uses of Atomic Energy in 1964 and the fourth to be held in 1971. These major conferences provide the opportunity for a comprehensive review of advances in nuclear science, have stimulated the publication of much information that had previously been kept secret and, in 1964, attracted approximately 2,000 participants and a further 2,000 observers.

51. Summing up, the Agency's meeting programme covers in a systematic way all branches of nuclear science and technology and promotes the fullest possible exchange of information between countries from all parts of the world.

Publications

52. The Agency is now one of the largest scientific publishers in Europe, issuing altogether about 30,000 pages of text each year, with a print-run of about 2,500 copies. A considerable part of the publications are proceedings of the Agency's own conferences, seminars and other meetings, but the Agency also publishes various directories, guide books, technical reports and four journals:

(a) *Atomic Energy Review* (specially commissioned review articles on particular aspects of atomic energy);

(b) *Nuclear Fusion* (contributed and review articles on nuclear fusion, plasma physics, magnetohydrodynamics);

(c) *Meetings on Atomic Energy* (a world-wide list of meetings on atomic energy and space science); and

(d) *IAEA Bulletin* (information for the Press and public on developments in the Agency and in member States).

53. Several copies of each publication are distributed on a cost-free basis to each member State and to the depository libraries nominated by member States. Further copies are available to Governments at a reduced charge. Publications are also sold directly and through a network of sales agents; payment may be made in local currency.

Future programmes

54. In March 1970 the Agency will hold a symposium on the handling of nuclear information at which member States will have the opportunity to review and explore the mechanisms used to promote this diffusion.

55. In 1970 the Agency will also bring into operation a computer-based International Nuclear Information System (INIS). Each member State, or group of member States, will identify all new nuclear information published in its territory or area and send a description and an abstract of each item to the Agency. If the item is not readily available for purchase, the full text of the report will also be submitted.

56. About 100,000 new items of literature are now produced each year in nuclear science and technology. The Agency will merge the descriptions of these items into a complete file which will then be copied and made available to member States both on magnetic tape and in printed form. The system will operate on a twice-monthly cycle.

57. Member States will use the Agency's magnetic tape or the printed versions as the basis of national nuclear information systems. It will be possible to apply either computer or manual information-retrieval procedures to select those entries that respond to the needs of a particular scientist, institution or authority. The abstracts and, where appropriate, full texts will be distributed on microfiches to scientific institutions at a low price.

58. The objective of INIS is to ensure that any nuclear scientist or engineer will be made aware as quickly as possible of items of literature that might help him in his work. The first step is to provide each member State with the basic "catalogue" from which the individual references can be extracted. At a later date, this service will be supplemented by one under which the Agency itself will use its computer to provide searches of the catalogue on direct request from scientists and scientific institutions.

59. Paragraph 2 of resolution H.I recommends that the Agency:

> **. . . study appropriate international arrangements to facilitate the exchange of scientific and technical information which has commercial or industrial value and is not publicly available, so as to make it possible for interested countries to know of the existence and outline of such information and to enable the interested parties to enter into negotiations about the acquisition of such information with the owners thereof; . . . .**[23]

Comments

60. The situation is now totally different from what it was before 1955, when most information about the application of atomic energy was kept secret. Partly because of the stimulus of the first and second International Conferences on the Peaceful Uses of Atomic Energy, virtually all scientific information is now released as it is produced,

[23] *Documents on Disarmament, 1968*, p. 679.

and the Agency does not believe that any significant impediment exists. The main problem is to promote the diffusion of scientific information that has been released so that it can become available rapidly to the potential user. This is what the Agency's programmes are designed to do.

61. Also, most information of a technological character is no longer withheld for reasons of military secrecy. Clearly, nuclear-weapon States do withhold technological information about the production and use of nuclear weapons. There are also indications that information about the processes for the separation of uranium-235 (which can be used for either military or peaceful purposes) is being withheld for reasons of military security. However, it does seem clear that in other fields, such as reactor design, military secrecy is not itself preventing the spread of technological information.

62. Some technological information, particularly that involving manufacturing processes, e.g., for reactor components or fuel, is nevertheless being withheld for commercial reasons. In this connexion, the Agency's freedom of action is limited—for two principal reasons:

(a) Often the owners of commercial information are not Governments but private corporations or institutions; and

(b) The Agency's Statute requires the Director-General and the staff to protect industrial secrets and other confidential information which the Agency may acquire by reason of its operations.

Nevertheless, it is believed that the Agency's activities do stimulate the voluntary release of information that had previously been kept secret for commercial reasons. At symposia and smaller meetings such information may be presented in order to gain national or industrial prestige, and the Agency's programme causes the owners of commercial secrets to assess the value of a secret against the prestige that they would obtain by releasing it.

63. It has been suggested that the Agency might take an initiative to establish whether new mechanisms are required to facilitate transfers of commercially restricted information. One possibility would be a mechanism by which the holders of such information could identify the topics covered and invite other interested organizations to negotiate commercial arrangements under which the information might be transferred. The Agency believes that this suggestion merits further exploration, and is considering calling a meeting to discuss it. The Agency proposes to consult with the European Nuclear Energy Agency and to approach the atomic industrial forums that have been established by private industry in some countries.

64. The third paragraph of resolution H.I

invites the nuclear-weapon States to advise the Agency at regular intervals as to the possibility of their declassifying scientific and technical information which has become essential for the development of the peaceful uses of nuclear energy, as soon as there is no longer any reason for its classification on national security grounds, bearing in mind all the benefits to be derived from the dissemination of scientific knowledge.[24]

[24] *Ibid.*

Comment

65. The comments made above on resolution H.I.2 are also relevant here.

66. Resolution H.IV recommends that the Agency:

in relation to the question of nuclear explosions for peaceful purposes, initiate necessary studies that are deemed advisable on its possible functions in this field.[25]

Resolution H.I.1, which deals with the Agency's information programme, also calls for the utmost efforts in compiling and disseminating information on the peaceful applications of nuclear explosions.

Comments

67. In September 1968 the General Conference of the Agency asked that a similar study be made and that the Board of Governors report thereon to the General Conference in 1969, at its thirteenth regular session.[26]

68. Subsequently, the General Assembly of the United Nations adopted a resolution taking note of the Agency's action in this regard [27] and another resolution requesting the Secretary-General to prepare a report on the "establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes, under appropriate international control".[28]

69. The Board of Governors first considered the matter at its meetings in February 1969 and felt that it was of sufficient importance to require study by a special *ad hoc* committee in which all member States of the Agency would have the opportunity of being represented and presenting their views. It accordingly established such a committee and, to help prepare for it, the Director-General, at the Board's request, circulated an analysis of the role that the Agency might play as well as information on the status of the technology of peaceful explosions.

70. The *ad hoc* committee met on 5 June and advised the Board on the preparation of the report requested by the General Conference. The Board concluded, *inter alia*, that activities in relation to peaceful nuclear explosions fall within the Agency's technical and statutory competence; that the Agency should approach the subject gradually, concentrating at first on the exchange of information; and that the existing range of services offered by the Agency, subject to subsequent review by the Director-General, is adequate for providing assistance to member States in connexion with nuclear explosions for peaceful purposes.

71. The Director-General, at the Board's request, communicated a copy of the report to the Secretary-General for his use in preparing the report requested by the General Assembly.

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[25] *Ibid.*, p. 680.
[26] *Ibid.*, pp. 667–668.
[27] *Ibid.*, pp. 801–802.
[28] *Ibid.*, pp. 799–800.

72. In this connexion the Board has also taken note of resolution L of CNNWS, which stresses the need for international arrangements aiming at regulating and controlling all explosions for peaceful purposes compatible with a comprehensive test ban treaty.[29]

73. Two resolutions of CNNWS relate to the problems of increasing the financial resources available to the developing countries through the Agency for nuclear energy development.

(a) Resolution H.II:

Recommends that the Agency study further the ways and means of increasing the funds available for technical assistance, taking into full consideration the views of interested countries, particularly those of the developing countries, expressed in this Conference;[30] and

(b) Resolution I, in its operative paragraph:

Recommends that the International Atomic Energy Agency should undertake to examine the basis on which arrangements can be made by the Agency to secure finances from international sources for the creation of a 'Special Nuclear Fund (SNF)' to be made available in the form of grants and low-interest-bearing loans, repayable over long periods of time, for financing the nuclear projects which have been found by the Agency to be technically feasible and economically viable in the territories of non-nuclear-weapon States which are members of the Agency, particularly those in the developing areas of the world, and which may make requests to the Agency under the provisions of article XI.B of the Agency's Statute.[31]

74. The nature of a country's needs for technical assistance in nuclear activities depends to a great extent upon the stage of its economic and social development and the priority that its Government assigns to nuclear technology in its plan of development.

75. A country with no experience or training in the use of nuclear energy for peaceful purposes usually requires assistance in the form of fellowships and training courses in order to build up the cadre of trained staff it requires if it is to carry out an atomic energy programme. When such a staff is at least partially trained there are frequent requests for experts and equipment to undertake specific projects. Each such project helps to establish a programme in which counterpart staff may be used effectively when they return after completing fellowship training. During this stage it is frequently appropriate to carry out regional training projects or establish regional centres to meet the similar needs of several members which are at the same stage of nuclear energy development and within the same geographical area.

76. Many developing countries are now advanced in the various specialized branches of nuclear technology. The energy needs of some of those countries make it necessary to carry out feasibility studies before planning the utilization of nuclear power. If a proposed power project is found to be technically feasible and economically viable, the developing country concerned must then consider taking the major step of heavy capital investment for nuclear energy.

77. Details regarding the part played by the Agency in furnishing member States with technical assistance at each stage of development

[29] *Ibid.*, p. 683.
[30] *Ibid.*, p. 679.
[31] *Ibid.*, p. 681.

and the available sources of financing are given below in paragraphs 78 to 107. The available sources of financing are:

(a) The Agency's regular programme of technical assistance under the Operational Budget;
(b) The United Nations Development Programme Technical Assistance (UNDP(TA)) or Special Fund (UNDP(SF)) components;
(c) The International Bank for Reconstruction and Development (IBRD);
(d) Bilateral governmental arrangements; and
(e) Private investment sources.

The Agency's regular programme of technical assistance

78. The Agency's regular programme of technical assistance is financed from the Operational Budget and is entirely dependent upon voluntary cash contributions and contributions in kind. Cash contributions are pledged each year and a target figure is established by the General Conference. Resolution GC(V)/RES/100, adopted by the General Conference in 1961, urged members "to make voluntary contributions to the General Fund for 1962 and succeeding years in amounts that are at least the same percentages of the target for each year as are their assessed contributions to the Regular Budget", or, if this proves to be impossible, "to demonstrate their continued support of the Agency by making each year at least a token contribution to that Fund".[32]

79. The target established and the voluntary contributions pledged for each year from 1959 through 1969 are shown in table A below.

TABLE A

Voluntary Contributions

Year	Established target (in millions)	Cash contributions pledged to the General Fund				
		Amount	Percentage of target	Shortfall	Number of members pledging	Percentage of members pledging
1959	$1.5	$1,183,044	78.9	$316,956	41 of 70	58.6
1960	1.5	996,103	66.4	503,897	36 of 74	48.6
1961	1.8	1,261,200	70.1	538,800	37 of 77	48.1
1962	2.0	1,380,470	69.0	619,530	44 of 80	55.0
1963	2.0	1,437,394	71.9	562,606	40 of 85	47.1
1964	2.0	1,374,447	68.7	625,533	42 of 89	47.2
1965	2.0	1,330,589	66.5	669,411	55 of 94	58.5
1966	2.0	1,277,416	63.9	722,584	61 of 96	63.5
1967	2.0	1,431,823	71.6	568,177	62 of 98	63.3
1968	2.0	1,368,680	68.4	631,320	63 of 99	63.6
1969 [a]	2.0	1,396,524	69.8	603,476	60 of 102	58.8

[a] As at 30 June 1969.

80. The target for such contributions has not been increased since 1962, largely because the combined Regular Budget assessment ratio of those members pledging at or in excess of their ratio amounted to only about 25 per cent to 30 per cent of the total assessment ratio for all member States and it was considered unlikely that those members not pledging at all, or those now pledging below their assessment ratio, would increase their pledges merely because the target was in-

[32] IAEA General Conference, *Fifth Regular Session, 26 September–6 October 1961: Resolutions and Decisions*, p. 5.

creased. It seemed pointless to set a higher target if the net increase in resources were to be only about $25,000 for each increase of $100,000 in the target. The constant increase in prices since 1962 has caused a decline which now amounts to about $300,000 per year in the value of the resources available.

81. Funds pledged to the General Fund have been used primarily for technical assistance, but about 10 per cent to 15 per cent of those funds has been used each year to finance the Agency's Laboratory and, during the earlier years of the Agency, to finance some research contracts. The balance has been available for fellowships, training courses and technical assistance projects (experts and equipment) under the Agency's regular programme of technical assistance.

82. Requests for technical assistance in the form of experts and equipment have grown steadily since 1959, but since there has been no commensurate increase in the availability of financial resources, the percentage of assistance requested which could be approved by the Board of Governors each year has steadily declined, as shown in table B below.

TABLE B

Technical Assistance

Year	Value of requests received	Value of assistance approved	Percentage of assistance approved
1959	$690,000	$619,400	89.6
1960	1,150,000	599,200	52.1
1961	1,277,600	513,100	40.4
1962	1,530,000	757,600	49.5
1963	1,750,000	856,700	48.9
1964	2,400,000	804,600	33.3
1965	2,500,000	874,000	35.0
1966	3,000,000	902,000	30.0
1967	2,600,000	975,000	37.6
1968	3,600,000	977,000	27.1
1969	3,700,000	977,000	26.4

83. Requests for fifty-one projects in twenty-eight member States in 1968 and for forty-seven projects in twenty-four member States in 1969 were not approved solely owing to lack of funds.

84. The disadvantage of relying entirely on pledges of voluntary cash contributions for the provision of technical assistance can be seen from the status of such pledges for 1969. By 30 June 1969 only sixty of the Agency's 102 member States had made pledges as follows:

TABLE C

Pledges of Voluntary Contributions

Number of members	Rate at which pledge for 1969 has been made	Assessment ratio (per cent)	Required by assessment ratio	Amount pledged	Shortfall or (surplus)
19	In excess of assessment ratio	8.21	$164,200	$193,606	($29,406)
28	At assessment ratio	16.14	322,800	322,800	----------
7	Below assessment ratio by less than $9,000 ($400 to $8,600)	6.25	125,000	102,967	22,022
6	Below assessment ratio by more than $9,000 ($10,400 to $177,530)	61.30	1,226,000	[a] 777,151	[a] 448,849
60	Sub-total	91.90	1,838,000	1,396,524	441,476
42	No pledges yet announced for 1969	8.32	166,400	----------	166,400
102	Total	[b] 100.22	2,004,400	1,396,524	607,876

[a] This figure includes the United States' matching contribution of $453,870 which would increase to $650,000 if all other contributions reached $1,350,000.

[b] Percentage exceeds 100 per cent because four new member States joined the Agency after assessment ratio had been established.

85. The Board and the General Conference have approached the problem of the shortfall from the target for voluntary contributions to the General Fund in the following ways:

(a) In resolution GC(V)/RES/100 the General Conference invited member States to make voluntary contributions in amounts that are at least at the level of their Regular Budget assessments. Following a recommendation made by the Board in February 1969, an urgent appeal for increased voluntary cash contributions was sent to all member States in the hope that the number of members complying with the resolution would increase to about 90 per cent of the total membership. If this percentage is attained it may be possible to persuade those members which now pledge at a level below their Regular Budget assessment ratio to increase their pledge enough to meet the goal established in 1961 by the General Conference;

(b) Each year since 1963 the Board has considered raising the target for voluntary contributions in the hope that those Member States which now contribute at their Regular Budget assessment ratio would continue to do so, thereby increasing the financial resources available for technical assistance. This course of action up to now has been rejected for the reasons mentioned above;

(c) The revision of article XIV of the Statute to provide for consolidation of the present Operational Budget with the Regular Budget so that all approved programmes would be financed from assessments on member States has been considered. This question has been the subject of lengthy discussion by the Board and the General Conference in the past, but the necessary support for such a revision was not forthcoming.

(d) Those activities other than technical assistance which are financed from the Operational Budget might be financed from the Regular Budget. In this connexion the Board has decided, subject to approval by the General Conference, that the costs of operating the Agency's Laboratory should be gradually transferred to the Regular Budget beginning in 1970; this will release additional funds under the Operational Budget for technical assistance; and

(e) Member States might be encouraged to seek financial support for more of their nuclear energy projects from UNDP(TA) or, in the case of large projects, from UNDP(SF). This possibility is discussed below.

UNDP(TA)

86. The financial support received from UNDP(TA) which is administered by the Agency's Division of Technical Assistance has amounted to approximately $1 million annually for the past several years. UNDP(TA) finances only country programmes developed by national planning agencies. Atomic energy commissions (or the equivalent bodies) in each member State should take full advantage of this possible source of funds. In many cases, the demands of more popularly oriented programmes for technical assistance, for instance support for improved health, education and food-producing activities

in a developing country, may relegate nuclear energy projects to such a low priority that no such project can be carried out with the UNDP resources available for that country. In such cases the atomic energy officials request support from the Agency. There is little difference between the types of projects supported by UNDP and those financed from the Agency's Operational Budget.

87. In addition, UNDP(TA) provides funds for regional projects. Until the end of 1970, each participating organization will be allocated a sum equal to 16 per cent of the resources it receives for country programmes. The Agency receives approximately $275,000 per annum to carry out its programme of regional projects. This sum is distributed by the Agency to the various regions to cover the cost of training courses and regional advisers.

88. The Governing Council of UNDP has decided that, as from 1971, target figures for regional and interregional projects will no longer be set, the funds normally reserved for such projects being retained by the Administrator. The implication of this new procedure is that in future requests for regional projects will originate in the countries concerned. Apart from the expression of governmental support through resolutions of intergovernmental bodies, requests will have to be formally endorsed by at least three interested Governments, which must state the arrangements they have made for participating in such projects, including their contributions towards local costs. Such projects drawn up by Governments will then be submitted to the Agency for technical endorsement and will be forwarded to the Administrator of UNDP for approval. It will therefore be up to the national atomic energy authorities to ensure that regional projects involving the use of nuclear techniques are developed and given sufficient priority to ensure that they receive the approval of the Agency and UNDP.

UNDP(SF)

89. One resolution of CNNWS suggested that UNDP(SF) should establish a special research and development programme for nuclear technology. The Administrator of UNDP has indicated that it will continue to be guided in evaluating nuclear projects by its usual criteria of soundness and priority.

90. UNDP(SF) has substantial financial resources available for technically feasible projects. The Agency has been the executing agency for only five Special Fund projects to date, although the Governing Council each year approves over a hundred new projects; these are usually large-scale projects involving considerable expenditure.

91. The Special Fund was set up to deal with an area of activity between small technical assistance projects and major capital aid projects. Its projects are largely in the nature of pre-investment studies, that is, studies designed to determine whether a good case can be made for investment. An example is the Agency's project in the Philippines, whereby the case for nuclear power in that country has been established.

92. The availability of UNDP(SF) financing should help materially in alleviating the shortage of funds facing developing countries

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when they reach the stage of development where pre-investment surveys of substantial magnitude are urgently needed. In such cases, every effort should be made to develop a plan of operation for submission to UNDP(SF) with a view to obtaining financial support. To date no project within the Agency's sphere of responsibility has been turned down by the Special Fund.

93. Areas in which the financing of atomic energy applications from UNDP(SF) might be considered are fairly numerous, but the most practicable at the moment would seem to be:

(a) Feasibility and technical viability studies concerned with the introduction of *nuclear power* into a developing country. This type of project was supported in the Philippines. It is recognized that power production is the most capital-intensive activity in developing countries and UNDP(SF) is concerned only with the pre-investment stage;

(b) Exploitation of *nuclear minerals*. This consists of an intensification of existing geological surveys, systematic prospection and detailed sample analyses leading to a programme of actual exploitation, mining and prospection. Projects of this type, concerned with non-radioactive minerals, are sponsored by UNDP(SF) in many developing countries. Projects concerned with radioactive minerals are now under consideration in several countries;

(c) Utilization of the sterile male technique in *pest control and eradication*. The current project for the eradication of the Mediterranean fruit fly in Central America is an example. The use of this technique against other pests is under consideration, but it must be recognized that when the technical and economic feasibility of this type of project has been established—that is when the investment stage is reached—funds will have to be sought from sources other than UNDP(SF).

(d) The establishment of *mono-discipline institutes* concerned, for example, with the application of nuclear research and training in agriculture. The Agency-assisted project in Yugoslavia and a current project in India are examples. Consideration could be given to institutes concerned with the prospects of development of new varieties of crops and institutes exclusively for radiation genetics; and

(e) *Agro-industrial complexes*.[33] Although these are, like power production, capital-intensive projects, feasibility and economic viability studies may be required at the pre-investment stage.

Capital investment sources

94. Developing countries will require capital for investments in the mining and processing of nuclear materials and, later, the reprocessing of irradiated fuel, nuclear desalting and large-scale nuclear applications in the chemical industry. However, by far the greatest need will be for funds to finance nuclear power production, even assuming that the very modest expansion in production now foreseen is not

[33] The concept is that of a very large nuclear power reactor centre around which would be clustered numerous energy-intensive industries including, for instance, desalination, fertilizer production, food processing and metallurgical, manufacturing and chemical plants [footnote in original].

exceeded. The installed capacity foreseen for 1980 is approximately as follows:

Africa	1,000 MW(e)
Asia (excluding Japan and China (mainland))	10,000–12,000 MW(e)
Latin America	5,000– 7,000 MW(e)
[34]	16,000–20,000 MW(e)

In order to raise the installed capacity of nuclear plants in developing countries to 16,000–20,000 MW(e) a capital investment of $3–5 billion would be required.

95. The five power reactor projects carried out in developing countries have been financed bilaterally under favourable terms. The two Tarapur plants in India have been financed by a "soft" loan from the United States Agency for International Development at 3–4 per cent interest, with a 40-year repayment period. The foreign exchange component of the KANUPP plant in Pakistan has been financed by Canada, partly by a grant and partly by a loan at 6 per cent interest. The ATTUCHA project in Argentina has been financed by a loan at 6 per cent interest with a 25-year repayment period and five years of grace. It cannot be assumed that such favourable bilateral financing will continue to be available after the first few pioneer plants are installed.

96. Within the United Nations family, only IBRD and its affiliates provide capital aid. IBRD's annual loans for electric power projects average about $300 million; in 1968 the total was $268 million, of which $254 million were regular IBRD loans and $14 million were "soft" loans from the International Development Association of IBRD.

97. IBRD applies normal banking criteria when considering all applications for loans. These criteria are not designed to take account of the indirect benefits which are likely to result from the introduction of a new technology like nuclear energy. These indirect benefits enable developing countries:

(a) To familiarize themselves with the technology which will become of major importance in the generation of electricity throughout the world in a few decades. (The pioneering "uneconomic" nuclear power plant may often be the first step in a long-term programme whose economic viability has already been established.);

(b) To diversify the sources of fuel supply. (This is bound to strengthen the bargaining position of the developing country concerned in buying fossil fuels from other countries.); and

(c) To promote scientific and technical progress and thus stimulate development in technology, engineering and scientific education.

Role of the Agency

98. The Agency provides the following services to promote nuclear energy development:

[34] Totals cover existing ordered and planned plants: by 1980, it is expected that the output of conventional plants in these areas will be of the order of 300,000 to 350,000 MW(e) [footnote in original].

(a) A general assessment of the possible contribution of nuclear power to the economy of the country;

(b) A detailed pre-investment feasibility study for a specific power project. The Agency's own funds are insufficient for such projects which cost a minimum of $500,000 and UNDP financing would normally be needed; and

(c) Assistance with site selection, safety evaluation, bit analysis, start-up and commissioning of plant and training of staff.

99. It is stated in article XI.B of the Statute that: "Upon request, the Agency may also assist any member or group of members to make arrangements to secure necessary financing from outside sources . . . . In extending this assistance, the Agency will not be required to provide any guarantees or assume any financial responsibility for the project." Thus, the Agency may serve as an intermediary and help the developing country to draw up proposals for specific projects and present them to the financing institution. It may also help in making arrangements for financing an important price component, i.e. nuclear fuel. But clearly, the Agency's role with regard to capital requirements is limited.

100. It is presumably to deal with this aspect of the problem that CNNWS recommended that the Agency should study the possibility of establishing a Special Nuclear Fund which would make "soft" loans or grants available to finance major nuclear technology projects that had been found to be technically feasible and economically viable.

101. This matter has been considered by the Board of Governors. It was the consensus in the Board that there is no prospect at present that those member States whose support would be indispensable for the establishment and maintenance of such a fund would, in fact, be agreeable to its establishment. Some member Governments were opposed in principle to the creation of an additional and special source of funds for financing a particular area of development, being of the view that the financing of capital projects of all kinds must be considered in terms of a country's over-all development priorities. The States concerned have also expressed the view that the creation of such a fund might lead to a reduction in the resources available from existing international or multi-agency sources of finance.

102. If it is the view of member States that existing financial institutions should give special priority to nuclear projects, e.g. in the light of the considerations mentioned in paragraphs 89 and 97 above, it appears that this could be most appropriately achieved by their representatives taking the necessary action in IBRD, UNDP, etc.

Conclusions

103. The foregoing analysis shows that, as at present constituted, the Agency, although able to provide many useful ancillary services, can have little direct influence in arranging for the provision of capital finance for major nuclear technology projects.

104. With regard to the pre-investment study, that is, the detailed feasibility study, the costs also exceed the Agency's means and the decision to undertake a feasibility study is essentially one for the

Government concerned, which can make the appropriate request to UNDP or call in a firm of consultants. In other words, pre-investment studies also involve decisions regarding priorities, which the Agency can only influence very marginally by offering advice.

105. The only stage at which the Agency has the means to give financial assistance for major projects is the first stage, when projects are initiated and their broad lines and potential value can be assessed.

106. The funds which the Agency uses for this purpose, as well as for introducing and expanding the use of nuclear techniques, are chiefly provided under its regular technical assistance programme. As these resources are very limited, it is all the more necessary that they be used in a manner which will make the greatest impact. It has been found over the years that this can be achieved by using them as "seed money" to initiate programmes and projects that can, if necessary, be continued for a longer period under UNDP(TA) or UNDP(SF).

107. An increase in the Agency's resources would, therefore, have a cumulative effect in introducing the applications of nuclear energy into developing countries.

108. By resolution J.II.1 CNNWS requested

> the General Conference of the International Atomic Energy Agency to consider at its next meeting the establishment of a fund of special fissionable materials for the benefit of non-nuclear-weapon States and, in particular, of developing countries.[35]

Further, in resolution H.III.1 the Conference recommended that:

> the Agency study the most effective means of ensuring access to special fissionable materials on a commercial basis.[36]

109. In the light of this request, the Director General is including an item on the subject in the provisional agenda for the next session of the Agency's General Conference which will be held in September 1969. It is to be foreseen that a summary of such action as the Conference may decide to take will be included in the Agency's annual report to the General Assembly for the current year.

110. To assist the Conference, the Board is providing it with a paper recalling what the Agency has so far been able to do to facilitate the commerce in special fissionable materials between its members. The paper presents the terms and conditions under which such materials are available through the Agency from the three chief producing members. It draws attention to the fact that 5140 kg of uranium-235 contained in enriched uranium, as well as 3 kg of plutonium, constitute the nucleus of a fund of special fissionable materials which have been made available to the Agency for its members. There have been some 65 transactions involving this fund, but all have been in fuel for research reactors or in very small quantities of materials for research. About 5,000 kg of uranium-235 contained in enriched uranium are still available to the Agency but this quantity is insufficient for the lifetime fuelling of a large power reactor.

111. The paper also draws attention to the fact that prices of supply through the Agency are the same as those for supply on a bilateral

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[35] *Documents on Disarmament, 1968*, p. 682.
[36] *Ibid.*, p. 679.

basis. However, since 1959, when the material was made available, the other terms and conditions of bilateral supply have been developed and liberalized. Member States producing special fissionable materials have therefore been asked whether they would now be prepared to supply enriched uranium through the Agency on the same general conditions as those applying to bilateral supply. The Governments concerned have also been asked whether they would be prepared to increase their allocations of enriched uranium for supply through the Agency.

112. On the assumption that the Agency would examine at an appropriate time the composition of its Board of Governors, with a view to adapting it as might be necessary in the light of the new functions the Agency is called upon to assume under the Non-Proliferation Treaty, CNNWS recommended that representation on the Board be broadened "so as to reflect equitable geographical distribution and the view of a broad spectrum of the developing countries".[37] A few days later the Agency's General Conference adopted a resolution in which it requested the Board to review that article of the Agency's Statute—article VI—which lays down how the Board is to be constituted and function.[38]

113. At the end of February 1969 the Board took steps to meet the General Conference's request, having in mind also the recommendations with regard to its future composition that CNNWS had made. On this occasion three of the Agency's members introduced preliminary papers containing suggestions for changes in the present composition of the Board. The Board decided to set up an *ad hoc* committee of the whole for the purpose of the review, inviting those members of the Agency not serving on the Board to be represented at its meetings.

114. The committee's first four meetings, which were held from 15 to 17 April and at which a total of fifty members were represented (nearly half of the total membership, it is to be noted), were primarily devoted to a broad exchange of views. Some consideration was also given to the three written suggestions referred to in the preceding paragraph, as well as to others that were presented orally. At two further meetings on 3 and 4 June respectively the committee first examined three new suggestions that had been submitted by members and then proceeded to elaborate a report to the Board.

115. The burden of this report was that changes in article VI of the statute had become necessary, that many members were of the view that a modest increase in the Board's present size of twenty-five members was desirable, but that further study and negotiation would be needed in order to devise an amendment that could command the wide acceptance required to bring it into effect. After considering this report on 12 June, the Board decided to transmit it to the General Conference as an interim report on its review of article VI, and to inform the Conference of its intention to continue its study "as an urgent matter" with a view to proposing an amendment to the article as soon as it was able to do so.

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[37] *Ibid.*, pp. 682–683.
[38] *Ibid.*, p. 667.

116. In resolution M, CNNWS requests

> all nuclear-weapon States and those non-nuclear-weapon States which are in a position to do so, to provide access for students and scientists for purposes of training and acquisition of knowledge on a non-discriminatory basis to their scientific institutions and nuclear establishments engaged in research and development of the peaceful uses of nuclear energy.[39]

117. The resolution is thus addressed to States rather than to the Agency. However, information regarding the facilities made available to the Agency for training and research in the development of the peaceful uses of nuclear energy may be of interest.

118. From the start of the Agency's fellowship programme in 1958 until the end of 1968 an aggregate number of 3,300 scientists and technologists were trained under regular or long-term fellowships awarded by the Agency. Apart from some training at the Agency's laboratories, nearly all these fellowships were in facilities made available by Member States. Within this total figure, 1,400 of the fellowships awarded were "Type II", that is to say, fellowships of which the costs were met by the host country.

119. About 50 per cent of all technical assistance funds (including resources in kind) available to the Agency, including those available under UNDP, were spent on fellowships and training. This proportion was considerably higher in the early years and has since levelled off at about 40 per cent of the funds (about 300 fellowships a year). It must be borne in mind that the relative proportion as between fellowships and other components of the technical assistance programme (experts and equipment) is set by Governments and not by the Agency.

120. Besides fellowships of the classical type, the Agency offers special training facilities through the Centre for Theoretical Physics in Trieste; since 1958 it has organized eighty-seven training courses attended by a total of about 1,300 students; and it arranges special research fellowships and scientific visits for advanced training.

121. The most popular topics in which training has been sought are nuclear engineering and technology; nuclear physics; the application of isotopes and radiation in medicine and agriculture; and nuclear chemistry.

122. Other fields in which training is offered include general atomic energy development; prospecting, mining and processing of nuclear materials; application of isotopes and radiation in biology; the application of radioisotopes in other fields such as hydrology and industry; and safety in nuclear energy.

Statement by the Canadian Representative (Ignatieff) to the Eighteen Nation Disarmament Committee: Sea-Bed and Ocean Floor [Extract], July 31, 1969 [1]

12. I should like now to turn to the question of the sea-bed. At the meeting of the Committee on 13 May I also offered some pre-

[39] *Ibid.*, p. 684.
[1] ENDC/PV.424, pp. 8-16.

liminary suggestions on the draft treaty on the prohibition of the use for military purposes of the sea-bed and ocean floor and the subsoil thereof which had been put forward for the consideration of the Committee by the Soviet Union on 18 May [*March*].[2] Here again, if the objective of all members of the Committee is to reach some general agreement there must in the first instance be an effort by all of us to seek and define our common purposes on this issue; and with that end in view the Canadian delegation contributed an analysis of what we consider to be the essential constituent factors of a possible agreement: namely the scope of possible prohibitions, their geographic limits and their verification.

13. In making our suggestions we addressed ourselves to the substance of the problem in an effort to clarify the factors involved. Rather than try in the first instance to put our thoughts into unequivocal treaty language, we thought that an initial analysis of substance was desirable in seeking possible common ground among members of the Committee. Subsequent comments from others have indicated interest in, or sympathy with, a number of the suggestions we advanced; and I am therefore encouraged to believe that some of the thoughts of the Canadian delegation might still offer possibilities in developing more generally acceptable international arms-control arrangements relating to the sea-bed.

14. Moreover, my remarks at the 410th meeting were directed in large part to the Soviet draft and particularly to the problems it raised for countries such as Canada. Since that time other delegations have offered preliminary views of their Governments, and the United States delegation has done more in submitting a further draft for a sea-bed treaty on 22 May,[3] together with a further explanatory statement at our meeting of 22 July,[4] which offers an alternative to some of the basic concepts of the earlier Soviet draft.

15. I am sure we all noted with satisfaction the opening statements of our co-Chairmen at this resumed session indicating the priority they both assign to these sea-bed negotiations. While we continue to believe that progress must be recorded as well on the other issues I mentioned, particularly those more directly related to the fulfillment by the nuclear Powers of their obligations under article VI of the non-proliferation Treaty,[5] we also believe that it is essential to report to the forthcoming session of the United Nations General Assembly that substantial progress has been made in the negotiation of a treaty covering arms control on the sea-bed. We think it is now possible to define further the issues involved and to delineate bases for agreement on them. It is important, if not vital, that during this session the Committee should arrive at accommodations which could be supported by every member, in order that our report to the next session of the General Assembly may contain generally-acceptable recommendations on this important subject.

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[2] Ambassador Ignatieff's remarks appear in ENDC/PV.410, pp. 4–8. For the Soviet draft treaty, see *ante*, pp. 112–113.

[3] *Ante*, pp. 211–213.

[4] *Ante*, pp. 329–336.

[5] *Documents on Disarmament, 1968*, p. 464.

16. The proposals which I put forward in my statement of 13 May have in the interim been the subject of consultation between my Government and other interested Governments. The distinctive features of the Canadian suggestions have been given further consideration, and I should like today to offer some elaboration of them and some explanation of the reasons behind our proposals. But I should like to stress at the outset that we agree with the United States that the prohibition of nuclear weapons and weapons of mass destruction from the largest possible area of the sea-bed should be given the highest priority, and we would consider an agreement which accomplished this objective as a major step in the direction of effective arms control.

17. We do hope, however, that we can achieve more, and thus we should not wish to stop there. We wish to ensure that careful and serious consideration be given by all parties to the various alternatives in order to achieve a treaty which provides the most effective possible assurances for the security of signatory States and a system of verification which takes into account the interests of the majority of potential signatories. In this connexion we are giving careful study to the proposals outlined by the representative of Sweden and put forward by you, Madam Chairman, at our meeting on 24 July [6] as possible bases for compromise positions acceptable to all members of the Eighteen-Nation Committee on Disarmament as well as to the other valuable suggestions made by other delegations. I now propose to discuss the major elements of the Canadian suggestions.

18. First as to prohibitions. In May we attempted to suggest in analytical form the types of weapons which we believed should be considered for prohibition, starting with nuclear weapons and weapons of mass destruction together with their associated containers, platforms and structures. In considering the problem of demilitarization realistically we thought it necessary also, in view of probable early developments in undersea science and technology, to consider other weapons which may also be developed and which, if affixed to the sea-bed or ocean floor, would inevitably extend the arms race to this environment just as surely as, even though less destructively than, nuclear weapons and weapons of mass destruction. To put it differently, non-nuclear States require protection first and foremost against nuclear weapons but also against non-nuclear weapons which might be implanted or emplaced on the sea-bed. Inclusion of such weapons in the prohibitions of the treaty would also play a useful role in having an agreed understanding about research and development activities in this field now, rather than waiting to take action until we face a specific threat. It would also ensure that such weapons would be subject to agreed verification procedures.

19. We believe that consideration should therefore be given to developing treaty language which would prohibit those weapons which could be used against the territory, the territorial sea or air space, or objects therein, of another State without, however, prohibiting installations required for self-defence. We appreciate the point made by you, Madam Chairman, on behalf of the Swedish delega-

[6] ENDC/PV.422, pp. 14 ff.

tion,[7] that in our preliminary statement the Canadian attempt to define specific prohibitions may have been unnecessarily complex. We believe nevertheless that it should be possible to develop treaty terminology which would be based on a concept of specific prohibitions and which would prohibit weapons most likely to result in an expansion of the arms race. Failure to curb development of such weapons—as you, Madam Chairman, pointed out—would be a serious omission. With this in mind we should like to suggest that consideration be given to the principle that States would undertake not to implant or emplace on, within or beneath the sea-bed and ocean floor beyond an agreed coastal band: (a) any nuclear weapons; (b) any weapons of mass destruction; (c) any storage containers, launching platforms or structures related to nuclear weapons and weapons of mass destruction; (d) any other weapons, under-sea bases, or fortifications, with which or from which military action could be undertaken against the territory, territorial sea or air space (or objects therein) of another State.

20. We believe that such a definition of the scope of the treaty advanced by Canada is in keeping with the Committee's ultimate objective of general and complete disarmament, while providing for the essential security interests of a coastal State and particularly the security needs of non-nuclear States and States with long coastlines difficult to defend. On the one hand, prohibitions limited to nuclear weapons and weapons of mass destruction would not, in our opinion, deal adequately with the security threat arising from the possibility of the emplacement of other offensive weapons and installations on the sea-bed. Indeed, these limited prohibitions would give to the emplacement of conventional weapons a respectability or legal sanction they might not otherwise enjoy, and would also lead to possible conflicts respecting the right to protect the emplacements in question. On the other hand, the blanket prohibition on the sea-bed and ocean floor of all weapons and military activities, as proposed by the Union of Soviet Socialist Republics, is obviously deficient in protecting security and other interests of coastal States. It would preclude the emplacement of surveillance devices capable of detecting the approach to the shores of ships or submarines which, under international law, enjoy freedom of navigation, and would also preclude other defence measures deemed necessary.

21. In sum, therefore, the Canadian view is that further consideration needs to be given in both draft treaties before us to the essential purpose of satisfying each State's legitimate security interests, while contributing to disarmament and arms-control measures which are the objectives of this Committee.

22. I should now like to say something about the geographic area to be covered by the prohibitions in the treaty. We have stressed in all relevant discussions that the largest possible area of the sea-bed should be subjected to arms-control measures. In both drafts before the Committee this view appears to be generally accepted. The basic Canadian approach has been that the sea-bed should be reserved for peaceful purposes, consistent both with the United Nations Charter

[7] *Ibid.*, p. 14.

and with other principles of international law. Among the principles of the Charter which we believe to be applicable to the sea-bed, as to other agreements, is the inherent right of individual or collective self-defence under article 51. In this connexion we must recognize that only weapons emplaced or fixed on the sea-bed and ocean floor are under discussion and that we are not dealing with the prohibition of submarines or other vessels, which in accordance with the tradition of freedom of the seas would continue to have access to the approaches of coastal States. In addition to the right of self-defence and the principle of the freedom of the high seas, we have in mind the exclusive sovereign rights of coastal States, under the 1958 Geneva Convention,[8] to explore and exploit the continental shelf.

23. Now as to the security zone. In the light of these considerations we have advanced the concept of a 200-mile security zone extending from the outer limits of the twelve-mile coastal band in which the coastal State would enjoy preferential defence rights, it being clearly understood that all the prohibitions agreed to under the sea-bed treaty now under consideration would apply within this zone. No State, not even the coastal State, would be allowed to emplace in this zone weapons prohibited by the treaty. Within this security zone, however, the coastal State, or any other State acting with the explicit consent of the coastal State, would be able to perform those defensive activities not prohibited under the treaty, while other States would have no such rights. We believe that a provision along these lines should be considered for the purpose of satisfying the legitimate defence requirements of coastal States under the Charter. This concept clearly recognizes that the security interests of a coastal State would be jeopardized if other States, without its permission, were to install military devices on the sea-bed in the waters adjacent to the coastal State. In this connexion, the representative of Brazil outlined in very clear terms at our last meeting the relationship of a coastal State's verification interests to a possible security zone.[9]

24. These considerations would appear particularly important if the prohibition eventually agreed to were restricted to nuclear weapons and weapons of mass destruction. In that event, if provision were made for a coastal State security zone along the lines of the Canadian proposal, foreign States would be permitted to install even offensive conventional weapons on a relatively permanent basis immediately beyond the limits of the defined narrow coastal band. We consider that few States with big coastal interests would be willing to accept the presence of such installations.

25. As to the coastal band, the two draft treaties before us differ with respect to the width of the defensive coastal band. Canada would prefer a broader rather than a narrower band, in part because it corresponds with what appears to be an international trend towards a twelve-mile territorial sea, but in part also because we believe that national security interests would be best served by the wider band. We listened with considerable interest also to the important proposal by the representative of Japan that consideration be given to discarding

[8] 499 UNTS 311.
[9] ENDC/PV.423, pp. 26 ff.

completely the concept of a defensive coastal band.[10] Inclusion in the treaty of a more limited coastal band or the elimination of the band altogether would make even more important, we believe, a wide security zone such as we have described, which would permit the coastal State to exercise more effective control over its adjacent waters. It should be noted also that the Japanese proposal raises difficult questions with regard to verification, to which other representatives have made reference.

26. The representative of Sweden also has made an interesting proposal with respect to a two-tier coastal band.[11] The Canadian authorities are now studying this suggestion, which provides somewhat the same protection for the legitimate interests of coastal States as the proposal for a single twelve-mile coastal band. We appreciate that this suggestion was intended to provide a compromise as between those States which favour a three-mile coastal band and those which favour instead a twelve-mile coastal band by using in a more restricted way the principle underlying our concept of a 200-mile State security zone. We wonder, however, whether States with a twelve-mile territorial sea would in fact be willing to accept such restrictions upon their sovereignty in the outer nine-mile region of their territorial sea. We wonder also whether they would be willing to allow the carrying out of observation and inspection procedures in this region of their territorial sea.

27. Lastly, I should like to refer to the verification problem. The two draft treaties before us differ also in their general approach to the problem of the verification of the prohibitions they would include. You, Madam Chairman, on behalf of the Swedish delegation put forward some proposals regarding a verification system which is designed to complement the remainder of the Swedish concept with respect to prohibitions and the geographic zone.[12] Without commenting at the moment on the specifics of the Swedish proposal, I might state that we welcome the obvious underlying concern with ensuring that all signatories would be able to participate in the verification procedure. I have already expressed in my statement in May concern at the restrictive approach contained in the Soviet draft; but the verification article in the United States draft also seems restrictive in that its proposal concerning the right to observe and in suspicious circumstances to consult and co-operate will not ensure freedom from fear in countries with less developed undersea technologies which may suspect that they may be threatened by weapons or military installations in an adjacent area of the sea-bed.

28. We wonder whether those countries with less well developed undersea technologies might count on the co-operation and assistance of those with more highly developed technologies in the detection and inspection of prohibited installations, particularly in areas of the sea adjacent to the coastal State. We believe, for instance, that it would be in the interests of all of us if a verification procedure could be devised offering the maximum assurance possible, within admittedly the known technical limitations, to which the representative of the

[10] ENDC/PV.420, p. 8.
[11] ENDC/PV.422, pp. 16–17.
[12] *Ibid.*

United States referred the other day,[13] that all signatories have the right to request not only the verification of activities or installations that may give them concern, but also that it be coupled with an undertaking that the nations which have a more developed competence in underwater technology would co-operate as well as consult.

29. Such a verification procedure might take many forms, but we would suggest that careful thought be given to various factors for possible inclusion. For example, a verification proposal taking the above considerations into account might include the following features. All installations and structures on the sea-bed and ocean floor beyond the twelve-mile coastal band would be open to observation and inspection by representatives of the other States parties to the treaty. States wishing to carry out actual inspection of installations and structures would be required to give prior notice of their intention to the Secretary-General of the United Nations. Every party would have the right to apply to the Secretary-General of the United Nations for the co-operation and assistance of other States in carrying out the verification process. On receipt of such an application the Secretary-General would make arrangements for the verification measures to be carried out by a technically competent State party to the treaty. The applying State would be able to nominate an official to accompany the technicians of the investigating State.

30. As for the financing, we have given some thought to a proposal which would require the complaining State to accept the financial responsibility for a verification operation in which no violation of the treaty was discovered, since this would serve to ensure that requests for verification were limited to instances in which serious concern and international action were warranted. We thought that in order to ensure that the provision was not discriminatory it might be appropriate that, in the event that the verification procedures provided evidence of a treaty violation, the cost of the investigation would then be paid by the offending State or through an agreed procedure set up by the Secretary-General of the United Nations. If inspection were taking place within the 200-mile security zone, the coastal State involved would be consulted and allowed to nominate officials to accompany the investigating technicians, whether that State had introduced the complaint or not. Each State party to the treaty would undertake to agree to full co-operation in the verification process.

31. In our view the verification problem must be considered from the point of view not just of the present degree of sea-bed exploitation or present competence in this environment, but rather of that which may prevail during the life of any treaty. Many delegations recently attended briefings, kindly arranged by the United States delegation, which pointed up the fact that a large number of peaceful sea-bed installations and structures will probably be under construction if not in actual existence in the not too distant future. It is probable, for example, that underwater drilling rigs and perhaps even extensive undersea engineering structures are within the realm of possibility as a result of the world-wide search for new sources of power. Such developments would make it extremely difficult to verify a generalized prohibition such as that proposed by the Soviet Union.

[13] *Ante*, p. 333.

32. The size and nature of future sea-bed engineering will also make it extremely difficult to detect violations of the prohibitions which the United States has proposed covering nuclear weapons and weapons of mass destruction only. These weapons might be concealed in other engineering forms and only close physical inspection would offer any assurance of verification. A system involving close physical inspection could be extended without undue difficulty to the list of prohibitions proposed by Canada.

33. Finally, a word about the terms of the treaty. The concept of a review conference as outlined in the United States draft treaty (article V) might, we believe, be retained whatever terms were agreed on in the final treaty. Our concern, however, has been that any treaty should be comprehensive enough in its prohibitions to serve as a long-term agreement. While a review conference might consider all aspects of the treaty, it should probably concentrate its attention mainly on verification techniques.

34. I realize that the proposals which I have been outlining differ in several respects from both of the draft treaties now before the Committee. While our primary purpose in advancing our proposals was to ensure that the interests of countries such as Canada were taken into account, we believe also that some of the suggestions in our modified position might help in the search by this Committee for a compromise. It is essential, in our opinion, that such a compromise be reached before the end of this present session so as to avoid a situation wherein we go to the General Assembly with two drafts without being able to report any reconciliation of views as a result of negotiations in this Committee. If such a situation were to develop, the purpose of the Eighteen-Nation Committee on Disarmament to act as a negotiating instrument on disarmament matters would be severely criticized. It is our hope, therefore, that the Canadian position will be given consideration by the other members represented here in formulating an agreed recommendation which might go forward from this Committee.

Statement by the Japanese Representative (Asakai) to the Eighteen Nation Disarmament Committee: Underground Test Ban, July 31, 1969 [1]

35. I asked for the floor today to speak on the question of the prohibition of underground nuclear-weapon tests. Six years have already passed since the partial test-ban Treaty was concluded in 1963.[2] As we recall, the parties to the Treaty proclaimed in its preamble their intention to seek to achieve the discontinuance of all test explosions of nuclear weapons for all time and their determination to continue negotiations to that end. A number of valuable proposals and suggestions have since been made in this Committee seeking the prohibition of nuclear-weapon tests conducted underground, the one environment

[1] ENDC/PV.424, pp. 16–22.
[2] *Documents on Disarmament, 1963*, pp. 291–293.

left untouched in the partial test-ban Treaty. Our special tribute in this regard goes to the delegation of Sweden for its incessant efforts. Unfortunately, however, it has not been possible so far to conclude a treaty on this subject.

36. The prohibition of underground nuclear-weapon tests is the most effective means of halting the qualitative "improvement" of nuclear weapons. For this reason it is the earnest desire of the Government and people of Japan, who strongly hope for nuclear disarmament, that a treaty to prohibit all underground nuclear-weapon tests will be concluded at the earliest possible date. Now that the non-proliferation Treaty [3] has been agreed upon, we in this Committee must renew our determination to exert our utmost efforts to attain this goal.

37. In dealing with this subject we have to consider its dual aspects—political and technical. The political aspect is, of course, the question of political decisions, which are in the last analysis in the hands of the United States and the Soviet Union. The technical aspect is how best we can develop a means of adequate verification which can ensure the observance of the treaty. Today I should like to address myself specifically to this technical question.

38. The verification of compliance with the prohibition of underground nuclear-weapon tests is certainly not an easy problem. Unlike test explosions in the atmosphere, underground explosions can be neither sighted from the air nor detected by means of collecting radioactive debris in the air. The only possibility is to detect and identify them by recording underground disturbances caused by them. Hence arduous efforts have been made to elaborate seismological means of detecting and identifying such explosions.

39. Particularly in the past few years, marked improvements have been made in the seismological means of detection and identification. No doubt technical developments, including the establishment of array stations, have made their contribution to such improvements. But more important has been the further development of international co-operation, which is traditional in the field of seismology. There was, for example, the meeting of the "detection club" convened in May 1966 on the initiative of the Government of Sweden with the participation of representatives of eight Governments, including the Government of Japan.

40. Another important event was the discussion in the study group on seismic methods for monitoring underground explosions which met in April and June of last year upon the initiative of the Stockholm International Peace Research Institute (SIPRI), with the participation of leading seismologists of the world, including those from the four nuclear-weapon States.[4] It was agreed in the study group that at a magnitude of 4.75 and above it was almost 100 per cent possible to identify underground explosions using the relationship between surface waves and body waves recorded at teleseismic distances. I should like to remind the Committee that a magnitude of 4.75 was considered by the Geneva Conference of Experts in 1958 only as a future target for seismological identification of explosions. Indeed, the SIPRI study

[3] *Ibid., 1968*, pp. 461–465.
[4] *Ibid.*, pp. 455–458.

group opened a new era in the negotiations for the conclusion of a treaty on the prohibition of underground nuclear-weapon tests.

41. However, we have to admit that there is a limitation to the possibility of detecting and identifying underground explosions by seismological means. Opinions differed among the members of the SIPRI study group on whether it was possible to distinguish explosions from earthquakes as the level of magnitude went down from 4.75 to 4.5. As the figure goes further down the magnitude scale, identification by teleseismic observation becomes more difficult, and at the present stage it is not easy even to detect at long range underground events of magnitude 4.0 and less. It is impossible at present, and will remain so in the foreseeable future, to detect events of magnitude 3.0 and less at teleseismic distances.

42. Those facts lead us to the inevitable conclusion that, so long as one takes the position that an underground test-ban treaty should not be concluded unless all underground explosions, however small, are to be detected and identified, there will be no chance for a complete underground test-ban treaty in the foreseeable future. In order to conclude a treaty prohibiting all underground nuclear-weapon tests one has to start from the premise that a political decision has to be made to prohibit all such tests when a means is devised to detect and identify underground explosions above a certain limit in size.

43. Intrinsically, the size of such explosions should be expressed in terms of the power of the explosions or "yield". But yield of explosions is not observable from outside. Inasmuch as we employ the seismological means of verification, magnitude is the only physical quantity observable to us. Thus the limit that I referred to earlier should also be expressed in terms of magnitude. What, then, should be the level of that magnitude? The easiest answer is to set it at magnitude 4.75, as explosions above that level of magnitude can be identified even at present. It may be asked, however, whether it is appropriate to leave out explosions of magnitude below 4.75. For example, the size of explosions of magnitude 4.0 is reported to be 2 kilotons in granite and 6 kilotons in tuff, and to reach the level of 25 kilotons if fired in partly saturated alluvium. Difficulties may exist in concluding a complete underground test-ban treaty without further assurances that test explosions of this order of magnitude would be identified.

44. Detection of explosions above magnitude 4.0 will become possible in the near future through improvement of the existing networks of teleseismic observatories; but identification is another matter. As it is the relationship between body waves and surface waves that is used for identification of explosions, and as it is not possible at present to record surface waves of explosions below magnitude 4.5 at teleseismic distances, it becomes necessary to employ data recorded at local or regional distances in order to identify explosions of magnitudes between 4.5 and 4.0, a figure which may be used for the moment as the limit in question.

45. Taking all those factors into consideration, my delegation wishes to make a suggestion for a workable formula to reach our ultimate goal—the prohibition of all underground nuclear-weapon tests.

46. The first step in that formula would be to agree to prohibit underground nuclear-weapon tests above magnitude 4.75 while secu-

ring a commitment by all States to co-operate with each other with a view to devising within a certain period of time a system of verification which would be able to monitor all underground explosions above magnitude 4.0. This first step is a provisional measure, taking fully into account the fact that the divergence of views among States on the necessity of on-site inspection prevents us from realizing the prohibition of all underground nuclear-weapon tests at a single stroke. It is our hope that the suggestion I have just put forward will be accepted by all States without delay.

47. The second step would be to agree on a complete underground test-ban when the foregoing system of verification was completed. Let me further elaborate the specific measures which should be taken to implement the system of verification suggested in our formula.

48. First, as our suggestion is based on the measurement of magnitude, a system to determine the magnitude of each underground disturbance should be established. One of the problems pointed out by the SIPRI study group was the difference in magnitude reported on the same event by eastern and western observatories, which is probably due to the difference in period characteristics of the respective instruments. It would be necessary to ensure that the magnitude reported on an event would be the same regardless of who the reporter might be, so that there would be no room for dispute about the basic scale of measurement. One effective step might be an agreement to designate a certain number of observatories for each subject area and to determine the magnitudes of events on the basis of data reported by them. We might also request in this respect co-operation from the Magnitude Committee of the International Association of Seismology and Physics of the Earth's Interior.

49. Secondly, the purpose of verification under our formula would not be attained effectively unless seismological stations in the world were properly distributed. Our next step, therefore, should be to examine the existing networks of seismological observatories in the light of the need to make the local or regional observation required to identify explosions above the limit explained earlier. In that connexion the Japanese delegation wishes to support the suggestion made by the representative of Canada on 17 April on the registration of observatories. If there are important areas which are not covered by the existing stations, the States concerned need to agree to improve the existing observatories as well as to establish new ones as is found necessary.

50. A question may arise at this point on the number of new observatories to be installed. The number may differ considerably depending upon several factors. For example, there is the question of where the "important areas" to be covered are, and how wide they should be. There is also the fact that explosions of the same size detonated in a similar medium may produce considerably different magnitudes according to different circumstances. They may well produce magnitudes higher than expected. For the purpose, therefore, of restraining explosions which are normally expected to produce magnitudes above a certain level it may suffice to install enough observatories to identify explosions of a magnitude somewhat above that level. It is assumed that the number of necessary observatories would decrease

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as the magnitude level of explosions to be identified became higher. My delegation wishes to suggest that a meeting of experts be convened to examine further all the relevant aspects of this matter.

51. Thirdly, all the States should agree to make all seismic data available internationally. Data to be made available should include

(1) Data on all underground events except local micro-earthquakes, which are to be reported on a daily basis by telegraphic means;
(2) Copies of graphic and magnetic records on specific underground events which are to be supplied upon request; and
(3) Some analytical data on these specific events.

More specifically, the data to be provided on a daily basis to which I have referred in (1) above should include the arrival time of the first motion of body waves and the maximum amplitude and the period of that wave group, the arrival time of the depth phase, and the maximum amplitude and the period of surface waves. I should like to add that such daily data are already exchanged internationally to some extent for academic purposes.

52. In order to ensure the credibility of the data supplied, it might be necessary to agree in addition to provide seismographic records for the period when there was no earthquake, the calibration record of seismographs, and other materials to show the state of maintenance and operation of the stations, including observation diaries. In this connexion the experimental explosions which the United States plans to detonate in September and afterwards will contribute to the process of improving the identification capabilities through international exchange of seismological data. My Government is therefore prepared to co-operate fully with that operation.

53. Now, given the situation where necessary seismological data are regularly made available by the observatories properly distributed all over the world, our next step should be to establish an international centre which will process all these data promptly, and regularly report the location of epicentre, depth, body-wave magnitude and surface-wave magnitude of all underground disturbances reported by the co-operating stations. There are already international centres which conduct such an operation on a global or semi-global scale in Edinburgh, Moscow, Strasburg and Washington, D.C. Their services are put to practical use by UNESCO, for example, for its counter-measure activities against earthquakes. They are, however, not quite adequate for our purpose in either the speed of data collection and processing, the quantity and quality of reporting, or the geographic distribution of contributing seismological stations. We must examine this matter further, and seek to organize one effective international centre for quick reporting on seismic events. Such a centre will be an important cornerstone of the seismological means of verification and must be operated as an international institution. In this regard the suggestions made in the Committee on 17 April by the representatives of Canada [5] and the United Kingdom[6] deserve our very careful study.

54. I now come to the question: What if a request to provide data on a specific event should be rejected, or if falsified data should be

[5] ENDC/PV.404, pp. 29–31.
[6] *Ibid.*, pp. 6 ff.

provided on it? My delegation wishes to suggest, in order to prevent such an unfortunate situation the setting up of what may be called an international monitoring centre which would objectively analyse seismological data and determine whether there were underground nuclear explosions. Whenever there was a suspicious underground event, the centre would request, on the basis of the data-exchange agreement which I have described earlier, the provision of copies of graphic and magnetic records as well as the result of their analysis, not only of such an event itself, but also of other events which should be compared with it. This centre might also be authorized to request, if necessary, the provision of certain other materials which might confirm the credibility of the data provided.

55. Further elaborating the functions of the centre, these would be (1) to examine regularly the report of the quick reporting centre on the epicentre, depth and magnitude of underground events and to point out suspicious events; (2) to collect necessary data on the suspicious events and other events to be examined for analytical purposes; (3) to analyse the collected data and determine whether the suspicious events were underground explosions or earthquakes; and (4) to watch regularly the operation of the registered observatories. In view of these functions, the centre might best be staffed by scientific and technical experts on an international basis.

56. This is the suggestion of my delegation on a seismological means of verification of compliance with a complete underground test-ban treaty on the basis of international co-operation. As all the specific measures indicated in my presentation involve technical problems in the field of seismology, I hope that they will be examined by the experts in this field without delay and that we can come to an early agreement on the complete prohibition of underground nuclear weapon tests. In further elaborating and implementing these specific measures, Japan will contribute as much as it can through providing the knowledge and experience it has accumulated in the field of seismology as well as through other means. My delegation will welcome any comment on the suggestions I have made today.

United States Note to Secretary-General Thant: Establishment of International Service for Nuclear Explosions for Peaceful Purposes, August 4, 1969 [1]

In connexion with resolution 2456 C (XXIII), adopted by the General Assembly last year, regarding "the establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes, under appropriate international control",[2] the United States Government notes that a related resolution was adopted by the Twelfth General Conference of the International Atomic Energy Agency—resolution GC (XII)/Res/245—which referred to the role envisaged for an inter-

[1] A/7678, Sept. 29, 1969, pp. 38–39.
[2] *Documents on Disarmament, 1968*, pp. 799–800.

national body under article V of the Treaty on the Non-Proliferation of Nuclear Weapons. The latter resolution requested the Director General of that Agency "to initiate studies of the procedures that the Agency should employ in performing such a role", and further requested the Agency's Board of Governors "to review the results of these studies and to report thereon" to the General Conference at its next session, which will take place in September of this year.[3] The IAEA study on this matter, in which all member States of the Agency were invited to participate, has now been completed and approved by the Agency's Board of Governors for transmittal to the General Conference and to the Secretary-General of the United Nations.

The United States Government believes that the study undertaken by IAEA is especially relevant to the aforementioned General Assembly resolution, and endorses its conclusions. In particular, the United States firmly believes that IAEA is the most appropriate organization to foster international co-operation pertaining to the peaceful uses of nuclear explosions, and to assume the responsibilities and functions anticipated for an international organization under article V of the non-proliferation treaty. The United States is encouraged by the fact that IAEA already has made great progress in delineating its prospective responsibilities in this field, and believes that the IAEA offers the most appropriate forum for defining these responsibilities and functions in greater detail. This view evidently is shared by many other States. The United States also notes in this connexion that the Agency's experience in many other fields pertaining to the peaceful uses of nuclear energy will be relevant and useful in the field of peaceful nuclear explosions.

The United States supports the concept, recently endorsed by the IAEA's Board of Governors, that the Agency's organization should be kept under periodic review and adapted as necessary to assure that it will be able to meet its prospective responsibilities in the field of peaceful nuclear explosions. Moreover, the United States has made clear its intention to continue supporting the development of the IAEA's competence in this field by continuing to furnish the Agency with extensive information on the United States experimental "Plowshare" programme, and by making available experts from time to time to assist the Agency as necessary. The United States already has provided a summary report to the Agency on the current status of the technology of peaceful nuclear explosions (which the Director General has circulated to all IAEA member States), and has also provided an expert to assist in developing an agenda and programme for a Panel Meeting on the Peaceful Uses of Nuclear Explosives which the Agency plans to convene in the near future. Additionally, the United States will make available one of its scientists from its "Plowshare" programme to join the staff of the IAEA within the next two months.

It should be emphasized that the technology for peaceful nuclear explosions is at an early stage of development, and much work remains to be done before widespread application of peaceful nuclear explosions can be expected. Accordingly, the United States believes that

[3] The IAEA resolution appears *ibid.*, pp. 667–668. For the non-proliferation treaty, see *ibid.*, pp. 461–465.

the development of detailed arrangements relating to the provision of peaceful nuclear explosion services will have to continue to be approached on an evolutionary basis in the light of the technological progress actually achieved. At the same time, however, the United States considers that the IAEA study represents a very good beginning on the subject, and that the principal aspects of potential IAEA involvement have already been generally well defined in this study. It is anticipated that IAEA will continue these studies and define its role with greater clarity over the months ahead, and the United States Government reiterates its willingness to co-operate fully with the Agency in further studies and discussions on this subject.

Finally, the United States Government wishes to reiterate that it plans to make available, when technically and economically feasible, peaceful nuclear explosion services pursuant to article V of the nonproliferation treaty under attractive conditions. Charges will be as low as possible and will exclude the sizable costs of research and development that have been incurred in the development of nuclear explosives. Moreover, the United States does not anticipate any scarcity of nuclear explosive devices necessary to perform this service once the technology for applying nuclear explosions to peaceful purposes reaches a stage of commercial application.

Statement by the Swedish Representative (Myrdal) to the Eighteen Nation Disarmament Committee: Biological and Chemical Methods of Warfare, August 5, 1969 [1]

2. Today I want to proceed directly, as I usually do, to a substantive deliberation on one specific subject, namely to state—although to a large extent it rather means restating—the views of the Swedish delegation on biological and chemical means of warfare. The matter is urgent and, as I hope to be able to show, quite promising for at least one important step forward during this session on the road towards curbing the arms race in regard to those terror weapons.

3. Some important developments have taken place since I last dealt with this matter in March,[2] at least towards a fuller realization of the threat which B and C warfare poses to mankind. The group of experts assembled by the Secretary-General of the United Nations to carry out the task entrusted to him by General Assembly resolution 2454 A (XXIII) of 20 December 1968 [3] has fulfilled its task with remarkable diligence within the required period of time; and the Secretary-General submitted on 1 July the requested report on chemical and bacteriological (biological) weapons and the effects of their possible use.[4] There is also a growing awareness in the world at large of the horrors of those weapons. A debate has been flaring up, at the level of both specialists and laymen, about the wisdom of producing

[1] ENDC/PV. 425, pp. 5–18.
[2] ENDC/PV. 397, p. 26.
[3] *Documents on Disarmament, 1968*, pp. 793–795.
[4] *Ante*, pp. 264–298.

them. This public debate creates an increasing pressure on governments to ensure, within a short span of time, an effective, universally-accepted ban on their use and proofs of progress towards their ultimate elimination.

4. Against those developments—the increase in knowledge and the impatience of the public debate—should be measured the steps that we in the Eighteen-Nation Committee are ready to take. We have first to register with gratification that on 10 July the delegation of the United Kingdom introduced in the Committee a draft convention and an accompanying draft Security Council resolution on biological warfare,[5] thus following up the initiative it had taken last year in submitting the working paper contained in document ENDC/231.[6] The statements in this Committee following that recent British initiative have predominantly come to focus on whether or not it is advisable to treat separately biological and chemical means of warfare. My delegation will have some comments to make on that issue in a later context; but we definitely do not want it to be treated as a decisive issue. There is another line of distinction which I find it much more necessary to draw in our deliberations about international action, namely that between the question of use of those weapons in war and questions pertaining to preparations for such use of them, i.e. their development, testing, production and stockpiling.

5. In regard to use—or rather non-use—the world community has already established regulations inscribed formally in international legislation and/or respected as rules of customary international law, with an origin in The Hague Conventions from the beginning of this century[7] and most specifically spelt out in the Geneva Protocol of 1925,[8] reinforced by General Assembly resolutions of both 1966 and 1968.[9] The first duty of the Eighteen-Nation Committee on Disarmament should therefore be to safeguard that existing bulwark for the non-use of both B and C weapons.

6. In regard to questions of non-production, if I may thus denote in a brief term the second set of problems, we in the Eighteen-Nation Committee on Disarmament will face quite a different and in a way a more creative task, entailing a need for some innovation. For our proceeding on that latter—as I have called it, creative—course, the initiative of Mr. Mulley should give valuable guidance. I will return to that issue in greater detail towards the end of my statement. But from the very outset I have wanted to make clear that the Swedish delegation foresees and favours a double task for the Eighteen-Nation Committee on Disarmament: one imminent and, I hope, uncontroversial, the other requiring more of painstaking study and bridging of differences.

7. In my intervention today, consequently, I intend to deal in turn with three subjects: first, the experts' report; second, the question of securing universal adherence to the ban on use in warfare of B and C

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[5] *Ante*, pp. 318–327.

[6] *Documents on Disarmament, 1968*, pp. 569–571.

[7] 91 *British and Foreign State Papers* 1014; William D. Malloy, comp., *Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States of America and Other Powers*, vol. II, pp. 2032, 2285.

[8] *Post*, pp. 764–765.

[9] *Documents on Disarmament, 1966*, pp. 798–799; *ibid., 1968*, pp. 793–795.

weapons, embodied in the Geneva Protocol; and finally, the United Kingdom draft convention, intended to secure the elimination of, in the first instance, the biological means of warfare.

8. The Secretary-General's report provides an excellent point of departure for our dealing much more in depth with all questions pertaining to B and C weapons than has hitherto been possible. In accordance with the task given to him and with the assistance of distinguished experts in the field, the Secretary-General has supplied us with a technical and scientific background against which to test our proposals. He has also presented three very important recommendations for such action, to which I will return.

9. One of the highlights of the report is the elucidation of the fact that chemical and biological agents usable for the purpose of war show a very wide variation in their effects. They can therefore be ranged in a scale covering all possible intended uses: from agents intended to be generally lethal to those intended only to incapacitate an enemy temporarily. This variability in regard to effect is applicable to both chemical and biological agents: they may be lethal or temporarily incapacitating. The report also brings out that any intended use relies upon calculations as to the probabilities that the desired result would be reached. A margin of uncertainty is inherent, however, and it implies that the use of a lethal agent may still leave attacked persons surviving, or—which is a more cruel consequence—that the use of an incapacitating agent may still cause some severe casualties or even deaths. Taking all these factors into consideration, we think the unavoidable conclusion to be drawn is that the experts also explicitly state: that no definite limits or borders can be drawn in regard to different types of chemical agents or biological agents as being lethal or non-lethal.

10. This is supported by another important fact which emerges from the report. Were chemical or biological agents ever to be used as weapons—in a regular war, I have to add—they would be used not alone but together with conventional weapons. One must conclude that if used for military purposes the effects even of very safe incapacitating agents would enhance the kill effect of the conventional weapons. This is also the opinion of the experts. A further risk in B and C warfare which also tends to make any distinct borderline between lethal and non-lethal meaningless for a prohibition of their use in war is the invitation to retaliation, which in turn practically inevitably implies a risk of escalation, so that more deleterious agents would be used.

11. This theme of retaliation is worthy of some elaboration. Man's mind has long been preoccupied with the possibilities of "humane war": that is, of finding some means which did not kill or severely hurt but only incapacitated people. If such agents were the sole ones to be used in war—and were used solely against military personnel, I should add—the cruelty of war would be diminished, perhaps to the point of permitting total elimination of conventional weapons. Science and technology eventually did develop means of graduated severity, which have been greeted as considerable advances. A time seemed to come when external enemies could be dealt with in the same way as rioting citizens in one's own country: they would not need to be killed in order to be controlled. This concept, appealing to our feelings, does

not, however, withstand the realities of war situations, where the chain of action-reaction-response does not stop in the same way as in a domestic situation.

12. On the other issue to which much attention has been given in this Committee—whether strict borderlines can be drawn between chemical and biological means of warfare—the report seems to us to be quite illuminating and not at all ambiguous. To begin with, it is very helpful that succinct definitions of chemical and biological agents are given in the report. As we have not yet in the Eighteen-Nation Committee on Disarmament discussed the implications of these logical definitions, it might be pertinent to take up that subject somewhat more in detail.

13. In the report it is said of chemical agents that they have a direct toxic action in an organism, that is, man, animal or plant. Inherent in this information is that a chemical agent interferes directly with the chemical processes taking place in the living organism, either upsetting their balance or causing them to cease altogether. Whichever happens depends mainly upon how much of the critical amount of the agent in question has reached an organism. In other words, as long as a chemical agent capable of interfering with the chemical processes in a living organism is used in war with that intention, it is a chemical warfare agent. This explains why the experts consider isolated bacterial toxins, for example, or herbicides, to be chemical warfare agents, contrary to what has been the case in some other studies.

14. Concerning the biological agents, the experts give a more lengthy definition:

> . . . living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease . . . in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.[10]

The main point in this carefully-worded definition is that a biological agent is capable of multiplying itself in an attacked organism, utilizing the products of that organism, and thereby causing the illness and perhaps the subsequent death of the organism.

15. Now, that agent may be a bacterium, as was envisaged already by the authors of the Geneva Protocol. In an exactly analogous way viruses and rickettsiae, the existence of which was not realized in 1925, may reproduce themselves in an organism. As to infective material, science today also knows that during special conditions—but in the future perhaps not so special—isolated genetic substances, for instance from bacteria, can infect another organism and multiply in it. As long as such reproduction in the infected organism leads to its death or to other insufficiency, the causing agent when used in war is a biological warfare agent. It is important to note that there seems to have been no difficulty in ascribing to the limited word "bacteriological" in the Geneva Protocol a more general meaning covering the subsequent development in the biological field.

16. The definitions as such obviously make it possible to treat biological and chemical agents separately. It is interesting, however, that not even the experts feel sure that the borderline between the two types

[10] *Ante*, p. 271.

of agents established now can be upheld for all future time. If this is the technical and scientific situation, I suppose it would be wise to take this into account during our discussions and not to be too definite about the two categories, recalling the previous difficulties to which too narrow technical descriptions have given rise, not least in relation to the interpretation of the Geneva Protocol, even if its general idea has been quite clear to everybody. In parenthesis, I wish to warn my colleagues against adopting in this context the term "biochemical" to cover both types of agents. This term already has a specific meaning in scientific language, our experts tell us.

17. The evaluations in the report of the potentially devastating effects on man and society of the B and C agents are also of the utmost importance for us. Thus, although evidence given in the report shows to what a terrifyingly high degree scientific and technological military knowledge tells how to perform coldly-calculated precision attacks on pre-set areas with B and C weapons, it is still more striking how potentially indiscriminate chemical and especially biological weapons are with regard to effects on the civilian population when it is attacked in cities or by immense drifting clouds of agents perhaps covering whole countries. The situation for the civilian population is aggravated by the fact that many countries would not have or could not divert sufficient economic resources to provide means for their protection in the form of shelters, gas masks, etc., or even for protective research. The report also indicates what damage can be done to crops through both chemical and biological means. Such "anti-food warfare" hits the civilian population, of course, and may even be directed against it.

18. Another indiscriminate effect might arise from even a limited use of biological agents—that is, the establishment in an attacked area of quite new biological agents or the re-introduction of agents eradicated earlier, through attacks not necessarily against man but against animals and insects in the area of attack. Certainly, even without the scare of the large plagues inherited from the dark centuries, one must today draw a firm conclusion that by large-scale initiation of B and C warfare man might come near to upsetting the delicate balance upon which his existence rests.

19. There may be an opportunity to come back to several of the vital pieces of information contained in the report, but at present only one more aspect of importance for choosing our route of action will be mentioned. Neither chemical nor biological agents are weapons in themselves. In order to be usable on a militarily-significant scale they must be built into rather advanced weapons systems, allowing their dissemination or delivery in a controlled way. This leads to a dualistic condition: although it would be possible, perhaps comparatively easy, to launch an isolated attack with any kind of these agents, albeit with unforeseeable consequences, it would take very considerable efforts to build up a war capability with these weapons, implying also the capability to protect oneself in a prolonged chemical or biological war. Accordingly the experts make the observation that, if an international agreement could give relief from having

to make these efforts, that would not detract from any nation's security.[11]

20. One more thought may be added as to the risks described by the experts; it concerns the risk of proliferation. Many of the chemical and biological agents are widely known and are dealt with in open publications. Information about new and effective vectors for spreading them can also be obtained. It may become advisable to look into the arms trade from this proliferation angle, with regard both to the chemical and biological agents themselves and to the means of their delivery.

21. As I have just tried to illustrate, the report of the Secretary-General has laid the groundwork on which the Eighteen-Nation Committee on Disarmament can proceed to propose action. As I said in my introductory sentences, the Swedish delegation wants to divide that task quite sharply between, on the one hand, measures prohibiting the use of both biological and chemical weapons and, on the other hand, measures to prohibit preparations for such use—that is, their development, production, testing and stockpiling. This logical separation of two policy issues, but not of two categories of weapons, is also sustained by the conclusions of the experts.

22. Here I wish to quote three sentences in sequence from the report. First:

"Were these weapons ever to be *used*"—the italics are mine—"on a large scale in war, no one could predict how enduring the effects would be, and how they would affect the structure of society and the environment in which we live."

Second:

"Their *use*"—my italics—". . . has already been condemned and prohibited by international agreements, in particular the Geneva Protocol of 1925, and, more recently, in resolutions of the General Assembly of the United Nations."

And third:

"The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the *development, production and stockpiling*"—and here I want italics again—"of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals." [12]

This spells out the full course of our action.

23. What are, then, the avenues for action on which we can immediately embark? The Swedish delegation holds that the best is to follow the suggestions made by the Secretary-General in his foreword to the Experts' Report:

1. To renew the appeal to all States to accede to the Geneva Protocol of 1925;

2. To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological

[11] *Ante*, p. 298.
[12] *Ibid.*

agents (including tear gas and other harassing agents), which now exist or which may be developed in the future;

3. To call upon all countries to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.[13]

24. The first two recommendations deal with the prohibition of use and the third with prohibition of production and so on. When we come to consider the latter we will, of course, centre our attention on the British proposal for a convention on biological warfare.

25. But I wish first to deal with the question of non-use. The Secretary-General's first recommendation is in full harmony with General Assembly resolution 2162 B (XXI), which was adopted in 1966 without any dissenting votes, urging strict adherence by all States—regardless of accession—to the principles and objectives of the Protocol and condemning all actions contrary to those objectives. That needs only to be reiterated. In that connexion I want to support a suggestion made by the representative of the Mongolian People's Republic the other day that it would be fitting that States be encouraged to sign and ratify the Geneva Protocol before the forty-fifth anniversary of the Protocol.[14] That would make 17 June 1970 the target date for greatly increasing the number of adherents.

26. The Secretary-General's second recommendation seems to us to give succinct expression to views expressed by a number of delegations both in the United Nations and in the Eighteen-Nation Committee on Disarmament.

27. My delegation had the honour of suggesting last year that

> . . . some joint collective statement in the General Assembly or elsewhere might be useful which, without regard to the various positions and practices of the past as to the extent of the existing ban, would enable States to register adherence to a ban on all B and C means of warfare, comprehensively interpreted.[15]

We have been gratified to note that this suggestion has met with interest among several delegations. The presentation of the experts' report and the appeal by the Secretary-General for a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents which now exist, or which may be developed in the future, encourages us to try to develop somewhat the suggestion we offered last year.

28. Our grounds for making the suggestion were several. One was the awareness that, although new agreements would be needed to assure a ban through disarmament measures on producing B and C means of warfare, the adoption of any new agreement repeating the prohibition against use contained in the Geneva Protocol might risk, or might be taken by some to risk, undermining the ban contained in that Protocol. In any case it would be superfluous. It would duplicate what has now come to be considered and respected as customary international law. The whole complex of laws about wars, of the Geneva Protocol and the tradition in which it is perpetuated, have come to equal what I would like to call a commandment: "Thou shalt not

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[13] *Ante*, p. 267.
[14] ENDC/PV.424, pp. 36–37.
[15] ENDC/PV.391, p. 10.

resort to chemical and biological weapons." A declaration ought to affirm the commanding character of that ban.

29. Another ground for our making the suggestion was the feeling that, although there had been some variations in the past as to the interpretation of the existing ban, these were not so wide in extent nor shared by any great number of countries. They could therefore be remedied easily by some joint statement focusing on the future. We started out from the widely-accepted view that—and I quote myself:

> . . . It would be both desirable and natural explicitly to give the Protocol a broad interpretation . . . and to consider all existing B and C weapons as belonging in one set and the prohibition to use any of them as valid without exceptions."[16]

30. Yet another ground for our suggestion was the fear that, but for some collective statement authoritatively declaring the existing ban on B and C means of warfare to be comprehensive, there would remain a risk of escalation. A State which applied a restrictive interpretation to the ban might use some B or C agents, which it considered legal, against a State which, on the contrary, would consider that a violation had occurred and hence that it was justified in retaliating. It might then use a somewhat more dangerous agent which the first State, in its turn, would consider illegal and therefore as justifying counter-retaliation. The importance of this point becomes clear if we consider that the only sanction against breaches of the Geneva Protocol so far provided is, in reality, retaliation.

31. It does seem to us that the States which concluded the Geneva Protocol meant it to be comprehensive. No party has made any reservation about its scope. And when the matter was officially discussed at governmental level—that is in connexion with the preparations for the League of Nations Disarmament Conference—the French Government, which is the depositary Government of the Geneva Protocol and was the first to ratify it, stated specifically in a note that it considered the use of lachrymatory gases to be covered by the prohibition of the Geneva Protocol. The British delegation in a memorandum agreed, as did the other representatives of Governments parties to the Protocol who spoke on the matter.[17]

32. Viewing this question of the scope of the prohibitions as it looks today, we have to register the regrettable fact that different opinions have been expressed on whether tear gas and other harassing agents as well as herbicides are covered by the prohibition. The majority of States parties to the Protocol which regard the comprehensive rules as binding would, of course, not want to reduce its value by accepting exemptions.

33. In the experts' report it is stated that tear gases have—

> . . . been widely used in warfare as harassing agents, in order to enhance the effectiveness of conventional weapons, or to facilitate the capture of enemy personnel.[18]

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[16] *Ibid.*

[17] For the British and French memoranda, see League of Nations, *Documents of the Preparatory Commission for the Disarmament Conference*, series X, p. 311.

[18] *Ante*, p. 272.

This makes them into means of warfare with deleterious effects. I want to stress, in order to avoid any misunderstanding, that the military purpose makes this use very different from their use in domestic situations. The same reasoning should be employed concerning the use of herbicides as anti-food weapons: when they are used militarily with the intention to damage life conditions for man, this is fundamentally different from their employment domestically to improve man's food or other resources.

34. For those several reasons some action in order to clarify and consolidate the existing prohibitory rules would appear to be both timely and necessary. This is the kind of task with which the General Assembly is familiar—indeed, a task expressly laid upon it by the Charter (Article 13, 1, a). Although most of the codification instruments have so far taken the form of conventions, on occasion declarations by the General Assembly have also been used. It is a declaration of that kind which my delegation believes the Eighteen-Nation Committee might seek to agree upon and submit to the Assembly for adoption. It may be recalled that the Committee did not hesitate at one time to grapple with a similar task: namely a declaration banning war propaganda.[19]

35. What should be included in a declaration consolidating the existing ban on the use of B and C means of warfare? The answer is simple: the aim should be to condemn in the most clear-cut way the use for hostile purposes of those means as contrary to the laws of war. Such a condemnation would have to encompass all agents defined and described by the experts in their report. Those descriptions and definitions, covering B and C means of warfare comprehensively, ought to be seen as a modern, scientific formulation of the contents of the ban under already existing laws of war.

36. It would indeed be a proud achievement if, by an unambiguous declaration, the road of the world community were cleared for the future: no more use of any B and C means of warfare in international conflicts. My delegation is ready to co-operate with other delegations in order to submit to the Committee, at an appropriate moment, a working paper containing suggestions on the language of such a declaration.

37. I wish now to wind up by turning to the British initiative, and to offer some comments and suggestions on the draft convention contained in document ENDC/255.[20]

38. The approach I have outlined earlier today as far as non-use is concerned should have made it clear that we do not think it necessary or even desirable that a convention on non-production should contain also prohibitions against use; while it would, of course, be worth while to retain a reference to the already-existing prohibition concerning use. That is the reason behind the rather radical suggestion we made in the informal meeting the other day that the present article I in the British draft might be deleted and replaced by the present article VI, containing reference to the Geneva Protocol, although it might have to be slightly reworded to serve the purpose of being a clear affirmation.

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[19] *Documents on Disarmament, 1962*, vol. I, pp. 545–546.
[20] *Ante*, p. 327.

39. The next question, already amply commented upon in this Committee, refers to the advisability of separating the treatment of B and C weapons. The Swedish delegation would not take a strong view on this issue. While we adamantly hold that there should be no separation of them in regard to their use in war—the whole range of existing and possible B and C agents being treated as an entity—we can see certain reasons for starting out on the road towards their elimination by attacking one set only, and then the first one must be the biological means of warfare.

40. An important reason for that is that there exists no claim for any need to produce B weapons for domestic use. If the B weapons are to be treated separately—as in the British draft—the convention would, however, have to contain strong pledges to continue negotiations to arrive at similar restrictions on the production, etcetera, of chemical weapons. The present article V seems too vague, speaking as it does only of "effective measures to strengthen the existing constraints on the use"—and I would italicize the word "*use*"—"of chemical methods of warfare". In the field of biological weapons we are after all, with the proposed convention, striving for more than prohibiting their use in war, which, as I have said, is already taken care of by existing rules. The wider purpose of prohibiting production, etcetera, must be spelt out also in any declaration of intent regarding chemical weapons.

41. In that context one might also contemplate an insertion in the preamble of a similar declaration of intent as far as chemical weapons are concerned. That would constitute a parallel to the non-proliferation Treaty, in which a declaration of intent concerning further negotiations relating to cessation of the nuclear arms race is to be found both in the preamble and in an article in the text itself (article VI).[21]

42. Article II in the British draft is in the main acceptable to my delegation. It could, however, be made clearer in the text that the parties would have the right to pursue military research efforts which were directed towards defence measures against biological weapons.

43. Referring to article III, we recognize the difficulties connected with a regular control machinery and understand the reasons why the British delegation has refrained from trying to introduce such a procedure.

44. I wish, however, to remind the Committee of some ideas in this connexion which the Swedish delegation has put forward on earlier occasions. I might, for instance, refer to my statement in this Committee on 20 August 1968.[22] Our basic idea was, and still is, that a universal openness about activities in this field would gradually create confidence. To that effect, a non-armament measure such as the one now contemplated could contain provisions for the encouragement of greater openness. The main components of such a provision would be generally-worded obligations for the parties to take part in an informal exchange of information on scientific and technical development. That might be coupled with a more specific undertaking to register with the Secretary-General of the United Nations relevant

[21] *Documents on Disarmament, 1968*, pp. 461–465.
[22] ENDC/PV. 391, pp. 12–14.

scientific and technical material, which could then be organized and published by competent staff. There could also be a provision for international meetings under the aegis of the United Nations to evaluate scientific and technical developments within biology and chemistry from the point of view of possible risks of breaches of the undertakings in the convention. My delegation would welcome comments by our colleagues on those ideas.

45. Several delegations have stressed—in formal or informal meetings—the need to devote more attention to the matter of control than has been devoted to it hitherto. As this matter was not touched upon in the experts' report, it may be a subject calling for some more technical exploration. Is, for instance, testing of B and C weapons more accessible for verification than their production? What about the possibilities of control on delivery systems and their manufacture?

46. I do not wish at this juncture to go deeper into the problems raised in connexion with the present United Kingdom draft convention. I hope all representatives will study it carefully and give their detailed comments on its text.

47. I will end by summing up our ideas in the following manner:

48. The Eighteen-Nation Committee on Disarmament should go forward to the United Nations with a two-pronged approach:

(1) A declaration, in the form of a draft contained in the report of this Committee, confirming the ban on use in war of all B and C weapons, binding on all nations;

(2) A proposal to continue to study in the Eighteen-Nation Committee on Disarmament the total elimination of these weapons, starting to work on the basis of the United Kingdom draft convention on biological warfare.

Remarks by the Canadian Representative (Ignatieff) to the Eighteen Nation Disarmament Committee, August 13, 1969 [1]

In leading off today's informal meeting on the subject of a Comprehensive Test Ban, I should perhaps begin by outlining the reasons for the Canadian decision to call for this session. Delegates will remember that on 23 May I submitted to the Committee a Working Paper on seismic exchanges (ENDC/251).[2] At that time, I pointed out that General Assembly resolution 2455 (XXIII) requested this Committee to take up "as a matter of urgency" the elaboration of a treaty banning underground nuclear weapon tests;[3] no wonder, since, as everyone knows, there is nothing more symptomatic of the continuation of the nuclear arms race than the continuation of testing of nuclear weapons. As the time is fast approaching when the Committee must prepare its usual report to the UNGA making an accounting of just what has been accomplished at this 1969 session in response to the

[1] ENDC/259, August 14, 1969. Ambassador Ignatieff made these remarks at an informal meeting.

[2] *Ante*, pp. 231–233.

[3] *Documents on Disarmament, 1968*, pp. 796–797.

Assembly's resolution, the Canadian delegation is of the opinion that steps must be taken which would permit the report to demonstrate some progress in this critical area. Our Working Paper outlined what we considered would represent a minimal degree of progress—agreement to issue a call for essential data on seismic exchanges which would be a prerequisite for any more effective exchange mechanism.

We recognize that we are not alone in our desire to effect progress in this field. The delegations of Sweden, the United Kingdom, Ethiopia and Japan have all, during the current or previous session of the Committee, advanced various ideas regarding more effective exchanges of information. We consider that the proposals put forward in our Working Paper might therefore receive the support of other interested delegations, and it is our hope that by convening this informal session, we may help pave the way to define some common purposes in this important area.

It is the belief of the Canadian delegation that, before specific machinery can be considered for any worldwide seismological data exchange, clarification is required on the extent of co-operation which governments would be prepared to extend and the form in which seismic information might be made available.

Our Working Paper addressed itself to this specific aspect of the seismological exchange proposal on the assumption that the problems of verifying any Comprehensive Test Ban would decrease provided an exchange of original seismological data could be assured. We recognize, however, that there is a definite relationship between any Comprehensive Test Ban and progress in the USA/USSR bilateral negotiations on the limitation of strategic weapon vehicles.

As I said in my remarks at the 424th meeting of this Committee on 31 July, if we are to make progress "in the first instance we have to seek common purposes on each issue before trying to agree on language". It is our hope in this informal meeting that with the help of the experts present, through the process of questions and answers we will find certain aims in common which will be useful both from a scientific as well as from an arms control standpoint (and perhaps it is well to bear in mind that the less inexact the questions, the less inexact the answers are likely to be.)

I would hope that in our discussions today we might clarify the technical aspects of the role of seismological exchanges in any verification proposals, keeping in mind that progress in the political field is, of course, basic to the eventual negotiation of a complete test ban. We are, moreover, hopeful that this meeting will help to crystallize the informal expressions of interest—and for that matter, support—which have so far come to our attention. I cannot conceal from you, and I think we are probably on common ground here, that my main concern is to try to ensure that some progress may be reflected in our UNGA report. I hope, therefore, that the results of this morning's discussions will give us all some guidance on the most useful course to pursue with this consideration in mind.

In order to assist the Committee in understanding fully the Canadian proposal outlined in our Working Paper, we have arranged for a senior Canadian seismologist, Dr. Kenneth Whitham, to be present for these informal discussions. With your permission, there-

fore, I propose now to ask Dr. Whitham to offer some explanation of the technical aspects of the Canadian proposal. I would further suggest that, after an opportunity has been provided for the observations of any other delegations, Dr. Whitham would be willing to answer questions on this subject, insofar as specific answers can be provided at this stage in the development of Canadian capabilities in this field.

Statement by the Japanese Representative (Asakai) to the Eighteen Nation Disarmament Committee: Exchange of Seismic Data, August 13, 1969 [1]

1. At the 424th meeting of July 31, I put forward a suggestion concerning the system of verification which would monitor underground nuclear explosions.[2] My suggestion consisted of four specific measures. First, to expand and improve the network of seismological observatories; second, to promote the international exchange of seismic data; third, to establish an international centre which will process all these data promptly; and finally, to establish an international monitoring centre which shall objectively analyse these data.

The Canadian suggestion concerning the registration of seismographic stations contained in its working paper is, we believe, the first step toward the expansion and improvement of the network of seismological observatories and the promotion of international exchange of seismic data which I have just mentioned.

It is for this reason and in this sense that the Japanese Delegation supports the purport of the Canadian working paper.

2. However, I have some comments to make on this working paper.

The Canadian working paper states "the ENDC requests the governments concerned to supply to the Secretary-General of the United Nations for transmission to the ENDC, a list of all its seismic stations from which it would be prepared to supply (relevant) records." [3]

If we adopt such a procedure, information concerning the instrumentation and components recorded which is to be supplied by the governments concerned in accordance with the Canadian formula could well become divergent in ways of its description.

In order to obtain the unified answer it might be advisable that the lists of seismographic stations which have already been prepared by such international or major national centres as those in Edinburgh, Strasbourg, Moscow, Washington and Tokyo, should be compiled into a list with appropriate format, which then shall be sent to the Governments concerned, requesting them to correct and complement it.

Particular attention must be paid to the station list prepared by the United States Coast and Geodetic Survey which covers almost all seismological observatories in the world, although that list does not contain description of the instruments employed in the observa-

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[1] ENDC/260, Aug. 14, 1969. The statement was made at an informal meeting.
[2] *Ante*, pp. 380–385.
[3] *Ante*, pp. 231–233.

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tories. I must also refer to "Parameters etc. of the Main Seismic Stations of USSR" prepared by the Institute of Physics of the Earth, Academy of Sciences of USSR, which well describes the characteristics of the instruments employed in the main Soviet Stations.

3. With regard to the data to be exchanged, the Canadian proposal seems to cover seismogram copies only. But, as I explained in my statement on July 31, my Delegation attaches an equal importance to the interpretation message to be sent to one international centre by cable every day. It seems to be advisable to register all observatories which can provide a daily interpretation message *and/or* seismogram copies.

It may be added, that if all seismogram data are to be exchanged, they will be too voluminous to be properly dealt with. In our view, therefore, it may be more practical to obtain necessary data on a request basis, as I suggested on July 31.

4. Now, Mr. Chairman, I must beg your indulgence for making some detailed and technical comments on the Canadian working paper. I do this as the paper under reference itself deals with technical points.

First, it might be better to replace the word "Photographic" of (a) of Page two of the working paper by "graphic", because recordings are made in the form of ink-writing or heated-stylus as well. May I also suggest that the name of the operating organization, the address and the date of the beginning of observation should be added after the name of station of (a)(i) and (b)(i) of Page two?

I would also like to suggest the addition of the words "height above the sea level, geological and geomorphological description of the station foundation" after the words "coordinates of station" which are found in (a)(ii) and (b)(ii) of Page two.

The Canadian working paper also states in the middle of page two that "original records or good quality microfilm, and if the latter, whether the microfilm would be 16.35 of 70 millimetre film", but it seems to us that this part is too strict and detailed. My delegation prefers that this part be replaced by "original records or some appropriate copies".

5. I hope that the Canadian Delegation will give due regard to the suggestions made in this informal meeting and submit to the ENDC its revised working paper for final adoption by the United Nations General Assembly at its coming session.[4]

Statement by the Indian Representative (Husain) to the Eighteen Nation Disarmament Committee: Exchange of Seismic Data, August 13, 1969 [1]

1. The delegation of India is strongly in favour of intensive co-operation for international exchange of seismological data, which would facilitate a comprehensive nuclear weapon test ban. The Indian

[4] The revised Canadian paper appears *post*, pp. 418–420.
[1] ENDC/261, Aug. 14, 1969. The statement was made at an informal meeting.

delegation, therefore, welcomes the initiative taken by the delegation of Canada in submitting its working paper, in which it has proposed that "countries be invited to send a list of the seismograph stations from which they would be ready to supply records on the basis of guaranteed availability of data in the framework of a world exchange of seismic data and provide certain details concerning these stations." [2] The Canadian delegation has also suggested that a request be made by the ENDC to Governments on these lines.

2. I should like today to offer the views of my delegation on certain aspects of the Canadian proposal.

3. Undoubtedly, an effective scheme for the unrestricted exchange of high quality seismic data on a world-wide basis, coupled with centralized means for collating and reducing them for quick and reliable interpretation leading to accurate estimates of location, depth and nature of seismic sources will help to remove to a very great extent, if not fully, the remaining reservations, as to the effectiveness of seismic means for verifying a comprehensive test ban treaty. As was brought out at the SIPRI meetings last year such a step would only be an extension of the principle of international co-operation which has been the main feature of seismological research and development.

4. However, the data exchange required for improving seismic methods of detection and identification, would clearly need to be more elaborate and diversified. It should include (a) the complete, original record of all the phases of the seismogram covering the entire spectrum of earth waves, (b) the exact response characteristics of the sensing and recording instruments, (c) the precise location and configuration of the instruments or the network of instruments deployed for detection, (d) a complete description of the format in which the data is available and (e) an indication of the accuracy of the time information.

5. A clear idea of the characteristics of instrumentation and recording formats is indispensable for evaluating the requirements of the centralized processing facilities needed to utilize fully the extensive data involved.

6. Equally useful from the point of view of enhancing the reliability of seismic identification of underground explosions would be the following data pertaining to underground tests:

(a) The scheduled time of firing.
(b) Latitude and longitude of test point.
(c) Depth at which the device is emplaced.
(d) Yield.
(e) General topography and geology of the test area.

7. The Canadian proposal is quite in conformity with the stand consistently taken by us, in relation to exchange of seismological data for which our data is freely available. However, the financial implications, and logistic support required for committing ourselves to such an arrangement will have to be examined carefully.

8. From a purely technical point of view the information sought in document ENDC/251 may be augmented as follows:

(a) (i) Option of Xerox copy of the original records.

[2] *Ante*, p. 232.

(ii) The time resolution in, say, millimeters per second of each type of record.

(iii) The estimate of precision of the timing system.

(b) (iv) The lay-out drawing of the array, the depth of emplacement of sensors, and topographical and geological features of the array site.

(v) Indication of the type of raw magnetic records whether digital or continuous, as well as the normal period up to which they are retained; the format in which library tapes containing events of a specified type or above a specified magnitude are prepared for long-term preservation.

(vi) Accuracy of the time code.

9. The Department of Atomic Energy of the Government of India operates stations of "b" type only in the form of a medium aperture short period array and some long period instruments in Southern India. With the existing processing facilities, we will not be able to release the original tapes earlier than six months after recording. By this time, they would hardly be useful for the international processing scheme envisaged. The most convenient method, therefore, for making copies available for exchange would be to take duplicate recordings of both short and long period instruments of our array.

10. In conclusion, Mr. Chairman, I would like to reiterate that the Government of India would have no objection to providing the information required in respect of our Southern Indian station. However, as mentioned earlier, this process would have financial implications, since it would be difficult for us to loan the original magnetic tape containing the information. I should think that a similar problem would be faced by many other countries as well. Should it, therefore, be decided that the ENDC should address a letter to Governments on the lines suggested by the Canadian delegation, an enquiry may also be made whether their countries envisaged any financial implications in meeting the request for information.

11. The Government of India would thus be ready to co-operate actively in any system of seismological data exchange provided it is an effective one based on the equal participation and full co-operation of all concerned.

Remarks by the United States Representative (Leonard) to the Eighteen Nation Disarmament Committee: Seismic Data Exchange, August 13, 1969 [1]

I would like to comment first on the general subject of seismic data exchange and then to make some specific suggestions regarding the Canadian proposal.[2]

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[1] ENDC/262, Aug. 14, 1969. Ambassador Leonard made these remarks at an informal meeting.

[2] *Ante*, pp. 231–233.

As many of you will recall from the last meeting of our spring session, Ambassador Fisher, speaking for our delegation, said that we believe seismic data exchange would serve as a useful complement to a comprehensive test ban, which in our view would have to include on-site inspections for adequate verification. On the basis of our belief in the value of seismic data exchange, we have been making efforts, both on our own and with others, to bring about greater cooperation in this field.

For example, considerable progress in seismology has resulted from research which the United States Government and private United States institutions have performed and published, and from seismic data made available through the operation of the U.S.-sponsored World-Wide Standard Seismograph Network (WWSN). This network now has 115 seismic stations, including stations in several states represented in this committee. In addition, the Montana Large Aperture Seismic Array continues to be operated as a research tool to provide data for evaluation of the detection capability of such arrays. We are, in cooperation with Norway, installing a second large array—the Norwegian Seismic Array, called NORSAR—which we hope will be completed this fall. Finally, we are pleased to announce that we are going forward with Project Rulison, an underground nuclear explosion for peaceful purposes aimed at developing the technology for increasing the production of natural gas. The project is now tentatively scheduled for September 4, 1969. As we explained in our working paper on seismic investigation,[3] this experiment will help in our efforts to facilitate world-wide evaluation and comparison, to the extent that the data are exchanged, of the seismic information gathered on such events.

In line with this demonstrated interest in seismic research, the United States stands ready to make available a list of seismic stations from which we would be willing to supply records in a world-wide exchange of data, as suggested by our Canadian colleagues. We are also willing to supply all the pertinent data on technical characteristics of these stations.

In view of our own readiness to cooperate in data exchange along the lines suggested by Canada, we, of course, hope that other countries whose participation would increase the value of the exchange will also join in. Carrying out the Canadian idea would be a useful step in implementing UN General Assembly Resolution 2455, and would be welcomed as a sign of progress on a question to which the General Assembly has attached great urgency.

Our technical experts have carefully studied the information requirements for a possible questionnaire, and their conception of what would be most useful has been passed out to each delegation (see attached suggested revision). With your forebearance, I would like to go through the revisions and explain the reasons we are putting forward these suggestions for consideration.

First, you will note that we have suggested two different categories of stations about which information would be provided. Category (a) would now cover conventional seismograph stations and (b) would

[3] *Ante*, pp. 246–247.

cover array stations. This seems to us a more useful distinction than that now made by the Canadian proposal between photographic and tape recording types of stations. Since there are other common types of seismograph recordings, such as smoked paper and hot wire, the categories we suggest would insure that governments would know how to respond for any type of seismograph.

Second, under sections (a) (iii) and (b) (iii), dealing with the instrumentation and components recorded, we believe that a response curve for each instrument should also be provided. Our technical advisors believe that information on response curves is very desirable for any significant data exchange because of the need to provide a basis for accommodating differences among the various instruments in use.

Third, under the category (b) we propose, we have added two more requests, (iv) and (vi), which involve, respectively, coordinates of array points and a list of components which record on a parallel visual basis. This information would also be helpful to participants in deriving maximum possible utility from the data exchanged.

Finally, if our suggestions are incorporated it would be possible to delete the requests under (a) and (b) of the Canadian paper which call for full operational curves to be provided, since this information would already be covered. In our suggested revision we have consolidated in the last paragraph the statements regarding the time window within which governments would provide records, and the availability of original magnetic tape recordings.

In conclusion, Mr. Chairman, I would like to express my delegation's hope that the Canadian proposal will help us to make badly needed progress in the near future. For our part, we are very appreciative that the Canadian delegation has presented its suggestions to this committee. We think these suggestions are practical and valuable.

X – X – X

Suggested Revision of Requests for Technical Information

(a) Conventional seismograph stations

(i) Name of station
(ii) Co-ordinates of station
(iii) Instrumentation and components recorded. (This should include operational magnification at one second periods for short period and broad band seismographs and at 15 or 20 seconds for long period instruments. Also, a response curve for each instrument should be provided.)

(b) Array stations

(i) Name of station
(ii) Co-ordinates of station
(iii) Instrumentation and components recorded. (This should include operational magnification at one second periods for short period and broad band seismographs and at 15 or 20 seconds for long period instruments. Also, a response curve for each instrument should be provided.)
(iv) Coordinates of array points

(v) A general account of the instrumentation geometry of the array.
(vi) A list of components which record on a parallel visual basis.

It would also be useful to know the time window within which the Government of . . . would be prepared to supply the original records or, as applicable, photographic copy, magnetic tape copy, or good quality microfilm (16, 35, or 70 mm). It would also be useful if the Government of . . . could indicate how long an original magnetic tape recording could be made available before the tapes were erased and re-used.

British Paper Submitted to the Eighteen Nation Disarmament Committee: Research on Techniques for Distinguishing Between Earthquakes and Underground Explosions, August 14, 1969 [1]

1. In September 1965, research by United Kingdom scientists on techniques for distinguishing between earthquakes and underground explosions was described to the E.N.D.C. (ENDC/155).[2] This early work had led in 1962 to the concept of monitoring by means of some 20 to 25 control stations external to the country conducting tests: this number compared with 180 stations proposed by the Geneva Conference of experts.[3] This system considered depended on the use of large arrays deployed on carefully chosen low noise sites, recording on magnetic tape, and electrical and machine processing to further enhance the clarity of the signals. The conclusion reached in ENDC/155 was that, in spite of the technical advances which had been made, there would remain a number of detected seismic events greater than magnitude 4.0 which would not be identified by remote seismic means alone and which could be suspected as possible violations of a test ban, unless they could be eliminated by some supplementary means such as on-site inspection.

2. In December of the same year (1965) the United Kingdom Atomic Energy Authority (U.K.A.E.A.) published a Special Report which reviewed the discussions and outstanding problems of Technical Working Group 2 (which had been set up in Geneva to re-examine the facts relating to underground explosions), the early U.K. work on discrimination assuming the use of a network of the type envisaged by the Geneva Conference of Experts, and the results of investigations (briefly described in ENDC/155) into the possibilities of using control stations spaced at much greater distances than was envisaged by the Geneva experts. The studies described confirmed the hypothesis that seismic signals recorded at distances between 3,000 km–10,000 km from the source of explosion and earthquakes were much less disturbed by

[1] ENDC/258, Aug. 14, 1969.
[2] *Documents on Disarmament, 1965*, pp. 408–411.
[3] *Ibid., 1945–1959*, vol. II, pp. 1090–1111.

signals trapped in the complex transmission paths formed by the crustal skin of the earth than those recorded nearer the source; information about the source could therefore be extracted with greater clarity and interpreted with greater confidence.

3. In particular, the U.K.A.E.A. reported comparisons between earthquakes and 35 underground explosions fired at 8 different locations in the U.S.S.R., U.S.A. and North Africa. It was shown that the first group of seismic signals which arrive at a distant station (the P-wave train) could be used to identify 90% of the annual total of earthquakes down to magnitude 4.0 and to distinguish them from explosions in those regions, using three criteria. These were first motion, depth of focus and complexity, the last being the most useful. However, shortly before the report was published, another test was carried out at a new underground site. This explosion radiated signals typical of explosions to Europe, but signals typical of earthquakes to North America. Doubt was thereby cast on the usefulness of the complexity criterion. U.K. scientists are still investigating this unusual effect, and have narrowed the possible causes to the source region, and almost certainly to the effect of rugged topography on the seismic signals spreading round the source. It is analogous to the effect of rugged topography around a receiving station, which results in signal-generated noise.

4. It is to be noted especially that the U.K.A.E.A. special report referred only to identifying earthquakes since at the time of its publication there was no established method for identifying explosions. Events were classified either as earthquakes or as unidentified events. The U.K.A.E.A. report did however refer to some observations which appeared to confirm some theoretical studies (presented by U.K. scientists at an international conference in Beaugency, France in October 1964) which predicted that explosions were much less efficient than earthquakes at generating Rayleigh surface waves (R-waves).

5. This observation offered some hope that a good criterion for identifying explosions might be developed but was not given prominence because R-waves were not well recorded by the long period equipment deployed at that time, and because it was still uncertain whether a useful detection threshold for R-waves from explosions could be achieved. Since then, however, many more observations have accumulated, which bear out the suggested relationship. In all but a very few cases the magnitude of an explosion as measured by R-waves is approximately one unit (a factor of 10) less than its magnitude as measured by P-waves. For earthquakes the magnitude determined from the observation of these two waves are the same.

6. Techniques and instrumentation for observing R-waves have been enormously improved in recent years and this method of distinguishing between earthquakes and explosions is now well established. It is the only one which enables explosions to be identified as such.

7. In 1966, U.K. scientists used the World Wide Standard Seismological Network (WWSSN) and the 4 U.K. arrays to test the surface wave, and the other three criteria, on events which occurred in that year in the Sino-Soviet region of Asia. It was also a useful test of the capability of the 120-station network, which was established

on the initiative of the Vela Uniform Programme of the United States of America. These stations have a world wide distribution except for the Sino-Soviet region and transmit the arrival times of seismic signals to the United States Coast and Geodetic Survey (U.S.C.G.S.) data centre in Washington which calculates epicentre locations. The data centre also provides low cost microfilm copies of the original records. (These records were delayed up to two months, depending on the timing of routine despatches by individual stations to the data centre.) With the exception of the 4 arrays the stations were all equipped with standard six component seismometers recording on photographic paper. Only the short period and long period vertical components were used in the investigations.

8. A total of 245 events were detected in the region studied, and the threshold at which 90% of the events were detected lay between m_b 4.5 and m_b 4.75 (where m_b is the magnitude of the event as determined from the P-wave train). Surface waves were recorded from 214 of the 245 events. In 9 of these 214 results m_b was greater than m_s by an order of magnitude and they were located at a known test site. (m_s is the magnitude of the event determined from the R-wave component). They could therefore be confidently identified as explosions. All but 10 of the remaining 31 events were identified as earthquakes, using the other three criteria. Ten events remain unidentified, and the magnitude of 8 of them lie below the threshold for 95% confidence in detection. Of the other two one appeared to have been located at a known test site and may therefore have been an explosion.

9. In this study the detection threshold of the W.W.S.S.N. for earthquake R-waves was similar to that for P-waves, as would be expected. On the other hand, for explosions, the detection threshold for R-waves corresponded to an event which gave m_b equal to 5.25.

10. These results were presented to the study group on seismic methods for monitoring underground explosions organized by the International Peace Research Institute, Stockholm (SIPRI).[4] They were the principal data on which the group concluded that the national systems which are operational at the present time could detect and identify explosions in the Northern Hemisphere down to a level of 20–60 kilotons. On the basis of research presented by Canada, the U.S.A. and the U.K., the group further concluded that the R-wave criterion was valid down to m_b 4.5. This was tacitly accepted by the group to be the equivalent of about 10 kt. There is not however complete technical agreement about the exact hard rock magnitude-yield equivalence and the discussions are without doubt confused by differences in regional geology.

11. The study group also concluded that it is possible to reduce by a factor of 10 the amplitude of the P-signal by conducting explosions in a suitable thickness of dry alluvium. It was agreed that dry alluvium is present in most continents in thicknesses sufficient to decouple up to 20 kt, that is to reduce an event in hard rock of m_b 5 to one of m_b 4. Since m_b 4 is close to the ultimate detection threshold of a practical control system, it is difficult to see how it will be possible to achieve a high probability of seismically locating a 10 kt explosion

[4] For the SIPRI report, see *ibid.*, *1968*, pp. 455–458.

which is fired in dry alluvium at distances greater than two or three thousand km, let alone to identify it by means of its R-waves.

12. The SIPRI study group therefore made two significant advances in terms of scientific agreement: it agreed that explosions of yields down to 10 kt in hard rock could be identified (given the deployment of a seismic system incorporating the improvements suggested in the SIPRI report) and it agreed that seismic amplitudes from explosions of up to 20 kt could be reduced by a factor of ten by firing in dry alluvium. The United Kingdom concluded that seismological verification of a test ban over large areas is limited to yields of about 10 kt and over: and even this capability assumes that modern equipment replaces that of the standard stations. Improving the instrumentation of the existing network may, however, be uneconomical or insufficient to do more than fully realize the limited capabilities recognized by the SIPRI group: to lower the identification threshold (and there are already some studies which indicate that this can be achieved) it may be necessary to consider new systems. Stations using new techniques are listed in table 1.1 of the SIPRI report and their capabilities have been described in a large number of reports. The next stop may be a detailed study of the ways and means of deploying an operational system based on the new techniques.

Statement by the Japanese Representative (Asakai): Prohibition of Chemical and Biological Weapons, August 14, 1969 [1]

30. First of all, I should like to associate myself with previous speakers in extending a heartfelt welcome to the representatives of Argentina, Hungary, Morocco, the Netherlands, Pakistan and Yugoslavia. It is with pleasure that I see some personal friends among the representatives of those countries. The Japanese delegation looks forward to working closely with them in this Committee in pursuit of our common goals.

31. The purpose of my intervention today is to explain in some detail the views of my Government on the question of the prohibition of chemical and biological weapons. I touched on the basic position of my Government on this subject in my statement in this Committee on 3 July.[2] As I stated at that time, my Government is of the view that, in order to eliminate the possibility of chemical and biological weapons ever being used, it is imperative that we should prohibit not only the use of these weapons but also their development, production and stockpiling. The earnest desire of the Government and people of Japan to achieve disarmament in the field of nuclear weapons is already well known. Our desire to eliminate chemical and biological weapons from military arsenals is no less strong.

32. Most chemical and biological weapons, like nuclear weapons, could be used for the purpose of indiscriminate mass destruction. The

[1] ENDC/PV. 428, pp. 14–20.
[2] *Ante*, pp. 306–312.

effects on mankind of the possible use of these weapons might extend—again like the effects of nuclear weapons—over a long period of time. The use of nuclear weapons has already given rise to the problem of sequelae caused by radio-activity which persist over a number of years. We fear that an extensive use of chemical and biological weapons might also have an enduring effect on our ecological environment. Developments in modern science and technology have greatly increased the potential threat of this category of weapons. Effects of chemical and biological warfare on a large scale could be devastating indeed, depriving mankind completely of a habitable environment over quite an extensive area for a long time to come.

33. We value highly the report of the group of experts appointed by the Secretary-General on chemical and bacteriological (biological) weapons, which enlightens us with its scientific analysis of the possible effects of the use of these weapons as well as of the economic and security implications of the development, acquisition and possible use of them. We particularly note that the report states in its conclusion as follows:

> The prospects for general and complete disarmament under effective international control, and hence for peace throughout the world, would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals.[3]

Being in full agreement with the view expressed in this passage, the Japanese Government wishes to exert its utmost efforts to bring about an early and effective elimination of these weapons.

34. There are a number of international instruments on chemical and bacteriological weapons. The Hague Declaration of 1899 prohibits the contracting parties from using among themselves projectiles which have the sole purpose of diffusing asphyxiating or deleterious gases.[4] The Annex to the Convention concerning the Laws and Customs of Land Warfare signed in 1907 prohibits the use of "poison or poisoned weapons" as well as of "arms, projectiles or material calculated to cause unnecessary suffering".[5] In the Geneva Protocol of 1925 the contracting parties accept the prohibition of "the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices . . . so far as they are not already Parties to Treaties prohibiting such use". They also agree "to extend this prohibition to the use of bacteriological methods of warfare".[6]

35. We now have before us, in addition to those existing instruments, a draft convention on the prevention of biological warfare presented to the Committee on 10 July by the United Kingdom delegation.[7] Whereas all of the existing instruments prohibit only the use in war of the weapons in that category, the prohibition contained in the United Kingdom proposal is extended to cover development, pro-

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[3] *Ante*, p. 298.
[4] 91 *British and Foreign State Papers* 1014.
[5] William D. Malloy, comp. *Treaties, Conventions, International Acts, Protocols, and Agreements Between the United States and Other Powers*, vol. II, p. 2285.
[6] *Post*, pp. 764–765.
[7] *Ante*, pp. 324–326.

duction and stockpiling as well, as far as biological weapons are concerned. The Japanese delegation welcomes such a comprehensive approach.

36. One of the focal points of our discussion on the United Kingdom proposal has been whether it is appropriate to deal, as proposed, with the prohibition of biological weapons first, leaving chemical weapons somewhat behind. It is true that the report of the Secretary-General points out in paragraphs 21 to 31 that chemical and biological agents regarded as weapons of war differ in certain important respects. But the fact that those two kinds of agents differ in nature would not, in itself, lead us to the conclusion that we should take up biological weapons first and put off the prohibition of chemical weapons until a later stage.

37. From a military point of view, biological and chemical weapons could very well be used in war in a closely interrelated manner. International documents, including the Geneva Protocol of 1925 and the recent United Nations resolutions on this subject, have dealt with these weapons together. We cannot be too conclusive either regarding the demarcation itself between biological and chemical weapons. Bacterial toxins, for example, have been classified in different international instruments and publications either as biological agents or as chemical agents.

38. Looking at the matter from another point of view, it may be difficult to satisfy public opinion by first taking up biological weapons, which have never been used against mankind, while postponing the prohibition of chemical weapons, which caused actual disaster in the First World War and will pose serious problems to us in future. We have to conclude that, in view of those factors, it seems to be more appropriate to tackle biological and chemical weapons together rather than separately.

39. In translating that position into practical steps, however, we encounter certain difficulties in relation to the treatment of chemical weapons. The first major difficulty is that the verification of compliance is not an easy matter with regard to the production of chemical weapons. The second difficulty is that of reaching an agreement on the scope of the chemical agents to be prohibited.

40. First let me examine the problem of verification. The United Kingdom proposal contains a formula of verification regarding the use of biological weapons which in essence would be to authorize the Secretary-General of the United Nations to carry out automatically an investigation of his own when requested to do so by a party to the convention which believed that biological methods of warfare had been used against it. The Secretary-General would also be authorized to report the result of such an investigation to the Security Council (article III). We consider that formula as one of the important features of the proposal. We believe that it would be able to function to a significant extent as an effective restraint on the use of biological weapons. We believe also that that formula could be similarly applied to the verification of the prohibition of the use of chemical weapons, and could be expected to function effectively to the same extent.

41. If we turn to the prohibition of the production and stockpiling of those weapons we have to admit that the problem of verifica-

tion becomes more complex, even in the case of biological weapons. The United Kingdom proposal itself provides for a different and somewhat more restrictive procedure on that aspect of the matter, requiring a decision by the Security Council to authorize the Secretary-General to conduct an investigation in each individual case. Furthermore, even if such an investigation were actually carried out, there would be the fundamental difficulty of establishing objective criteria to determine whether a specific case of the production or stockpiling of biological agents had a prophylactic purpose or a military purpose.

42. Compared with the case of chemical weapons, however, the difficulties in this respect may be more susceptible of solution so far as biological weapons are concerned. In the first instance, the kinds of pathogenic micro-organisms a country needs to produce for normal prophylactic purposes can usually be determined by the geographic and epidemiological conditions of that country plus, in some cases, the requirements for export of certain vaccines. For example, what country in the world has the need in peace time to produce in large amounts as materials for vaccines tularemia bacilli or Q-fever agent, both of which are capable of being powerful biological weapons?

43. Secondly, there is no need in the present-day vaccines industry to stockpile micro-organisms for a more or less extended period of time in either a live or a freeze-dried state, which would make them effective as weapons. Thus it would be possible to some extent to differentiate the biological agents produced for peaceful purposes and those produced for the purposes of warfare.

44. Unlike the production of biological agents, the production of chemical agents for weapons purposes could be so closely interrelated with the production of chemicals for peaceful purposes that it might be difficult in most cases to arrive at a universally-acceptable judgement on the purpose of a suspicious case. There can be no excuse, of course, for large-scale production and stockpiling of nerve gases or certain chemical end-products, such as mustard. But chemical agents such as phosgene and hydrogen cyanide are important intermediate products in peaceful chemical industry as well as powerful chemical agents for weapons purposes. As a practical problem, therefore, it would be difficult to control and interfere with the production of those chemicals. To make the matter more complicated, the production processes of chemical agents are integrated into the highly complex ramifications of the entire chemical industry. It might therefore be difficult to determine which stage of the complicated processes of production could actually be considered as the stage where weapons were being produced.

45. Despite such difficulties we cannot take the position that the examination of the question of chemical weapons should be postponed until such time as an agreement has been reached on the means of verification on all the aspects of their prohibition. To take such a position would mean separating the prohibition of chemical weapons from that of biological weapons.

46. As I suggested earlier, we will be able to apply the verification procedure prescribed in article III (1) of the United Kingdom

draft convention to the use of chemical weapons. As to their production and stockpiling, we also have a keen desire to put a complete end to it. But at the same time there are difficulties I have already pointed out.

47. I therefore should like to suggest that we entrust to a group of competent scientists and technologists, formed on an international basis, the study of the technical problems related to the verification of the production and stockpiling of chemical and biological weapons. I was told that the scientists of the International Institute for Peace and Conflict Research of Sweden (SIPRI) in Stockholm have just carried out such research, and there may be other studies of the same nature. I hope that the group I have suggested would work on the basis of these studies so that an agreement would be reached by this Committee as soon as possible on an appropriate means of such verification. In this connexion, the subject of verification might include the methods of stockpiling and ancillary equipment as well as agents themselves.

48. With reference to the question of the scope of the chemical agents to be prohibited, it may be necessary to work out more precisely the definition of the agents to be prohibited, as we intend not only to prohibit the use of chemical and biological weapons but also to prohibit their production and stockpiling. Let me recall that the Geneva Protocol of 1925 itself left some ambiguity about the scope of weapons it prohibited, particularly in relation to the harassing agents. In the case of the Geneva Protocol, however, it was only the use in war—I emphasize "in war"—of chemical and bacteriological weapons that was prohibited. As the representative of Sweden stated in this Committee on 5 August, "the military purpose makes this use [the use of harassing agents] very different from their use in domestic situations".[8]

49. Although the Japanese Government has acceded to both the Hague Declaration of 1899 and the Convention on Land Warfare of 1907, it has not yet ratified the Geneva Protocol of 1925. Since the Geneva Protocol prohibits only the use in war of the weapons in question, without touching upon their production and stockpiling, and since different opinions exist as to the interpretation of its coverage, it is, in the view of my delegation, not a fully satisfactory international instrument. The Government of Japan hopes that an agreement to prohibit completely both chemical and biological weapons will be concluded at an early date, and my delegation intends to exert its utmost efforts to this end. It is our hope that we shall be able to cooperate with all the other delegations in this endeavour. If, however, we should find ourselves in the unfortunate situation that such an agreement cannot be concluded in the near future, my Government would be prepared to consider the ratification of the Geneva Protocol. We would do so as a manifestation of the earnest and strong desire of the people of Japan to eliminate these dreadful weapons completely from the earth.

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[8] *Ante*, p. 395.

Statement by the Polish Representative (Czarkowski) to the Eighteen Nation Disarmament Committee: Chemical and Bacteriological Weapons, August 14, 1969 [1]

54. On behalf of the Polish delegation I should like to welcome the new members of this Committee—Argentina, Hungary, Morocco, the Netherlands, Pakistan and Yugoslavia. We are convinced that they will contribute constructively to the implementation of the tasks entrusted to us.

55. Our deliberations thus far have eloquently demonstrated considerable interest in the problem of ensuring strict and universal prohibition of the use of chemical and bacteriological weapons as well as in taking effective steps designed to eliminate those weapons from the arsenals of States. In this connexion various proposals have been submitted to this Committee.

56. On 22 July the Polish delegation presented a working paper [2] concerning the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use.[3] We have been gratified to find that the proposals contained in our working paper have been favourably received by many delegations around this conference table, and we owe them our thanks.

57. The current debate in this Committee has reinforced our conviction that the Eighteen-Nation Committee on Disarmament should proceed according to the schedule adopted last year. After all, it was on the initiative of the Eighteen-Nation Committee on Disarmament that the General Assembly requested the Secretary-General to prepare, with the assistance of qualified expert consultants, a report on chemical and bacteriological (biological) weapons and the effects of their possible use.[4] The report has been prepared in implementation of that resolution, which also recommended that the report be considered by our Committee and by other United Nations bodies.

58. All the delegations which have addressed the current session of the Eighteen-Nation Committee on Disarmament have assessed the study as an important contribution to the Committee's deliberations regarding those weapons. It has also met with considerable interest from world public opinion. We have not heard any arguments which sought to cast doubt on any of the theses advanced in the study. Indeed it could hardly be otherwise, if one bears in mind that the report and its conclusions have behind them the prestige of the Secretary-General and of fourteen prominent scientists representing, as they did, all political and geographical regions of the world. It is obvious, therefore, that the report, as well as U Thant's recommendations, should be recognized by the Committee as a basis and a guideline for further disarmament negotiations concerned with chemical and bacteriological (biological) weapons.

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[1] ENDC/PV.428, pp. 21–28.
[2] *Ante*, pp. 328–329.
[3] *Ante*, pp. 264–298.
[4] See *Documents on Disarmament, 1968*, pp. 594, 793–795.

59. To our mind it would not be proper for the Committee, in the further course of its disarmament negotiations, to leave the report of the Secretary-General in the background while concentrating on problems that we feel should be tackled at a later stage of our work. For this reason we consider that the establishment of the basic criteria to guide our future work in this Committee is an important stage that we cannot afford to abandon. In view of these considerations, and against the background of the discussion in our Committee, I should like to refer again to two criteria which my delegation considers to be basic to the undertaking of further steps in the field of chemical and bacteriological (biological) weapons.

60. First, any steps concerning chemical and bacteriological (biological) weapons should lead to the strengthening of the Geneva Protocol of 1925.[5] I am glad to notice a consensus appearing in this Committee on the need for the universal observation of and adherence to the Protocol by the States not yet parties to it. This progress is significant because, notwithstanding two appeals by the General Assembly in its resolutions 2162 (XXI)[6] and 2454 A (XXIII)[7] and much urging by this Committee, there are many States, including certain big Powers, which have not yet seen fit to accede to the Protocol. In renewing our call to States not yet parties to accede to the Protocol we are discharging the obligation which devolves upon its signatories "to exert every effort to induce other States to accede to the present Protocol". The Polish delegation therefore supports the suggestion which the delegation of the Mongolian People's Republic made at our meeting on 31 July that the Committee issue an appeal to States not parties to the Protocol to sign and ratify that important international instrument before its forty-fifth anniversary—that is, 17 June 1970.[8]

61. Second, the problems of chemical and bacteriological (biological) weapons cannot but be considered jointly. I am gratified that a great number of delegations around this table share this point of view. Only today the representative of Japan has expressed a similar opinion.[9] Many delegations, including my own, have stressed in their statements that there is a close and direct link between those weapons which makes them inseparable—that in international law, strategic doctrine and the public mind all bacteriological (biological) weapons without exception are linked with chemical weapons. This link stems from the military and technical characteristics of those weapons, integrated in one system, and from the effects of their possible use as weapons of mass destruction. It is this consideration that accounts for the fact that, as was brought to our attention by the representative of Bulgaria at our meeting on 24 July, the term "biochemical weapons" is gaining currency in military vocabulary.[10]

62. Chemical and bacteriological weapons are dealt with jointly in the Geneva Protocol of 1925. We have not heard any convincing

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[5] *Post*, pp. 764–765.
[6] *Documents on Disarmament, 1966*, pp. 798–799.
[7] *Ibid., 1968*, pp. 793–795.
[8] ENDC/PV.424, pp. 36–37.
[9] *Supra.*
[10] ENDC/PV.422, p. 9.

argument which would support the idea of dealing with further prohibition aimed at the complete elimination of these two types of weapons in any other way than in the Protocol. Moreover, it is not altogether irrelevant to observe in this connexion that all documents providing terms of reference for our work support joint consideration of chemical and bacteriological (biological) weapons. I have in mind first of all the Committee's agenda contained in its report of last August,[11] General Assembly resolution 2454 A (XXIII) concerning the preparation of the report, and the report itself, dated 1 July 1969, concerning chemical and bacteriological (biological) weapons and the effects of their possible use, together with U Thant's foreword containing his recommendations.

63. It is in the light of such general considerations that my delegation wishes to make several observations regarding the consequences which we feel would result from the United Kingdom's draft convention on the prohibition of biological weapons.[12] We have arrived at two principal conclusions in our assessment of that draft.

64. While its article VI states that nothing in the convention shall be construed as derogating in any way from obligations assumed by any State under the Geneva Protocol, the United Kingdom draft, to our mind, offers in fact a restrictive interpretation of the Protocol. This stems first of all from article I of the draft, which seeks to establish, independently of the existing prohibitions, a new legal prohibition of the use of biological weapons. In this way the United Kingdom reaffirms its earlier position that the Geneva Protocol of 1925 does not apply to biological weapons.

65. The United Kingdom draft convention, moreover, argues for separate treatment of prohibition of the use of biological and of chemical weapons. It is a position that we cannot go along with for the reasons I have given and, first of all, because of the characteristic features of these weapons and the effects of their use.

66. In all considerations concerned with the establishment of further prohibitions in the field of chemical and bacteriological weapons—namely, the prohibition of their development, production and stockpiling—the ultimate goal has been to ensure total efficacy of the prohibition of use of these weapons as means of warfare by the elimination of the real possibilities and facilities making their use possible. The various kinds of prohibition are closely interrelated. Uniformity of prohibitions of the use of both chemical and bacteriological (biological) weapons requires uniformity of prohibitions applicable to the entire process of preparation for their use as well.

67. A partial solution, separate for each of the two types of weapons, could create a new factual and legal situation which, while far from guaranteeing progress towards elimination of the dangers resulting from biochemical weapons, would provide a deceptive illusion of progress and would affect adversely the effectiveness of the Geneva Protocol of 1925. The possible results of a selective approach to chemical and bacteriological (biological) weapons can be formulated in three points.

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[11] *Documents on Disarmament, 1968*, pp. 583–584.
[12] *Ante*, pp. 324–326.

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68. First, in the military field, there would arise a new situation which would clearly favour a chemical arms race. So, instead of putting an end to such a race, it would be legalized for an unforeseeable period of time. Moreover, bearing in mind that military characteristics of chemical and bacteriological weapons constitute an integrated weapons system and that identical means of delivery can be used for both, there could arise a situation in which States might be tempted to compensate for their reduced arsenals of biological weapons by an increased effort in the field of chemical weapons. That corresponds to the weird logic of the arms race.

69. Secondly, there seems to be no doubt that a chaotic situation would emerge in the legal sense as separate prohibitions would appear with regard to particular weapons—prohibitions whose scope, both subjective and objective, would not correspond to one another, creating as a result a mosaic of various legal régimes that would offer broad possibilities of arbitrary interpretation. Such a situation would hardly be conducive to strict and uniform observation of the prohibitions contained in the Geneva Protocol, let alone ensure universal adherence to it.

70. Any disarmament agreement, particularly one involving weapons of mass destruction, constitutes a milestone in the process of the development of international law. We believe, therefore, that the method suggested by the United Kingdom delegation can hardly be reconciled with the goal of codification and a progressive development of international law which not only seeks to supplant specific and concrete legal norms for general ones but also, at the same time, seeks unification of the activities of States in certain particularly important spheres of international relations.

71. Thirdly, to confine oneself in disarmament negotiations exclusively to biological weapons would hardly meet the hopes of the international community raised by such negotiations. World public opinion demands the elimination of the threat of chemical war with the same firmness as that of other barbarous methods of warfare. All of us are aware that public opinion has been particularly concerned over recent Press reports pointing to further intensification by certain States of the chemical arms race and the stockpiling of chemical weapons on foreign soil. The recent mishaps involving chemical weapons stockpiled on Okinawa have brought home to many peoples the danger involved in the stockpiling of chemical and bacteriological (biological) weapons on the territories of other States.

72. I wish to stress at this juncture that my countrymen have been particularly alarmed at the reports, since officially confirmed, of the stockpiling of chemical weapons on the territory of the German Federal Republic. This fact, in addition to the vast stockpiles of nuclear weapons, creates an additional threat in this sensitive area of key importance to world peace. It certainly will not create a climate favourable to a strengthening of the sense of security of European nations. Public opinion in Poland—and I am sure I speak for that in many other countries too—firmly demands the immediate elimination of chemical and bacteriological (biological) weapons stockpiled on foreign soil.

73. We believe that in order to create an appropriate atmosphere for negotiations it is necessary for States to refrain from any action, whether in the military, political or legal sphere, which could undermine the effectiveness of the prohibitions contained in the Protocol and which, consequently, would adversely affect the possibilities of achieving further prohibitions relating to the development and stockpiling of chemical and bacteriological (biological) weapons.

74. In this connexion I should like to express my delegation's concern over the recent statement by the Secretary of Defense of the United States, Mr. Laird, who, as reported by the *International Herald Tribune* of 29 July (p.1, col.2), stated that "the United States must maintain a stock of chemical and biological warfare agents as a deterrent against that type of attack by other nations". The active promotion of the philosophy of not only nuclear but also chemical-bacteriological "balance of fear" justifying a further chemical and bacteriological arms race can hardly favour the work of the Eighteen-Nation Committee on Disarmament. We refuse to accept the proposition that international relations should be based on the principle of "balance of fear".

75. We cannot avoid mentioning also the attempts undertaken by certain circles in the United States to justify, in the eyes of the public opinion of that country, the need not only to retain existing stocks but also to proceed with the further development of chemical weapons. The old slogan "Learn to live with the nuclear bomb" is now being replaced by a new catch-phrase "Chemical warfare research is good for you". To support this, arguments are being advanced that there is a beneficial spin-off derived from chemical and bacteriological warfare research, a spin-off in the form of discoveries of new medicines.

76. Such actions can hardly be reconciled with the unanimous General Assembly resolution 2454 A (XXIII), which calls on governments to acquaint public opinion with the contents of the Secretary-General's report through various media of communication, and expresses a belief "that the people of the world should be made aware of the consequences of the use of chemical and bacteriological weapons". That is why we cannot go along with actions aimed at convincing public opinion that development of biological and chemical weapons results in benefits.

77. In presenting my remarks I am not motivated by a desire to infuse unnecessary polemics into our debate. We are first and foremost anxious to observe appropriate priorities in the work of this Committee. Those priorities are determined by the current state of the arms race as well as by the scope of the threat resulting from the particular forms of armaments. This applies especially to weapons of mass destruction. The specific feature of those weapons means that mankind is threatened not only by the prospect of their use. In fact the very arms race in these weapons, qualitative, quantitative and territorial, triggers off a number of adverse political, economic and moral consequences affecting the whole international community, while at the same time posing the constant threat of the outbreak of a devastating conflict.

78. There is, of course, little need to mention the state of permanent threat to man's health resulting from those weapons. The dangers inherent in the chemical arms race have been made all too clear in various parts of the Secretary-General's report. Thus it states that—

> . . . the preparation of an armoury of chemical and bacteriological (biological) weapons would constitute a possible danger to people in the vicinity of production, storage and testing facilities.[13]

while later on in the report it is observed that the existence of chemical and bacteriological weapons—

> . . . contributes to international tension without compensating military advantages. They generate a sense of insecurity not only in countries which might be potentially belligerent, but also in those which are not.[14]

79. Bearing in mind the factors I have mentioned, the Polish delegation wishes again to place on record its readiness to co-operate with any delegation with a view to elaborating specific measures that would ensure strict and universal observance of the prohibitions contained in the Geneva Protocol, and subsequently the total elimination of chemical and bacteriological (biological) weapons from the arsenals of States.

80. Finally I should like to assure this Committee that we are working actively, together with other interested countries, towards achieving the early and comprehensive prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons.

Revised Canadian Working Paper Submitted to the Eighteen Nation Disarmament Committee: Requests to Governments for Information About Exchange of Seismological Data, August 18, 1969 [1]

In an earlier version of the working paper the Canadian delegation expressed the view that the problems of verifying a Comprehensive Test Ban would decrease even though they might not be entirely resolved, if guaranteed access to original seismological data could be assured.[2] This proposition was a response to UNGA Resolution 2455 (XXIII) which in its preamble took into account "the existing possibilities of establishing, through international cooperation, a voluntary exchange of seismic data so as to create a better scientific basis for a national evaluation of seismic events", and in Article 3 expressed "the hope that States will contribute to an effective international exchange of seismic data".[3]

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[13] *Ante*, p. 294.
[14] *Ante*, p. 296.
[1] ENDC/251/Rev. 1, Aug. 18, 1969.
[2] *Ante*, pp. 231–233.
[3] *Documents on Disarmament, 1968*, pp. 796–797.

2. As a first step in defining a practical method for achieving such an exchange the Canadian delegation suggested that two essential points should be clarified: what seismic information would Governments make available, and in what form. The Canadian working paper contained a draft request specifying the details which might be sought from all countries in order to obtain this basic information.

3. At an informal meeting of the ENDC on 13 August, various delegations offered suggestions regarding the procedures proposed by Canada and the specific wording of any requests to Governments for information. On the basis of these suggestions and the discussion during the informal meeting, the Canadian delegation has now amended the draft formulation for the requests to Governments.

4. To the Canadian delegation it would appear essential that the ENDC include in its recommendations to the next General Assembly of the United Nations, a proposal that clarification be sought from Governments as to what seismological information they are prepared to make available. Without attempting to suggest definitive wording for any UNGA Resolution on this subject, the Canadian delegation considers that a request from the Secretary-General for this purpose might be based on the following wording:

In order to assist in clarifying what resources would be available for the eventual establishment of an effective world-wide exchange of seismological information which would facilitate the achievement of a Comprehensive Test Ban, the Secretary-General of the United Nations requests the Government of ---------- to supply to him for transmission to the Eighteen-Nation Committee on Disarmament a list of all its seismic stations from which it would be prepared to supply records on the basis of guaranteed availability and to provide certain information about each station as set out below:

A. Conventional Seismograph Stations

(i) Name of Station and name and address of the operating organization

(ii) Co-ordinates of station including elevation

(iii) Instrumentation and components recorded together with speed of recording. (This should include operational magnification at one second period for short period and broad bank seismographs and at 15 or 20 seconds for long period instruments. Also a complete response curve in absolute units should be provided.)

The Government of ---------- is also requested to give information on the geological description of the station foundation and indicate if fully annotated records will be provided, including the precision of the time. It would also be useful to know the time window within which the Government of ---------- would be prepared to supply original records or good quality copies, and if the latter, the form of the copies (for example 16, 35 or 70 millimetre film, Xerox copies, etc.). It would be useful if it could be indicated whether the intention is to deposit copies of all records in a seismological centre which makes its data available to everyone, or whether the Government of ---------- wishes to guarantee the data only on a bilateral demand.

B. Array Stations

(i) Name of station and the name and address of the operating organization

(ii) Co-ordinates of station and array points, including elevation

(iii) A general account of the instrumentation geometry of the array

(iv) Instrumentation and components recorded, including magnetic tape specifications. (This should include the operational magnification at one second period for short period or broad band instrumentation and at 15 or 20 seconds for long period instruments. A response curve in absolute units should be provided for each instrument.)

(v) A list of components which record on a parallel visual basis.

As under A above, in the interest of obtaining maximum usefulness from an international exchange of data, the Government of _____ is requested to give information on the geological foundation of the array stations, together with complete technical information on the recording medium, the precision of time keeping, etc. It would also be useful to know the time window within which the Government of _____ would be prepared to supply the original records, or as applicable, photographic copy, magnetic tape copy, or good quality microfilm. In the event that the Government of _____ does not envisage depositing copies of all array data automatically in a seismological centre which makes its data available to everyone, it would be useful if the Government of _____ could indicate how long an original magnetic tape recording could be made available for individual demands before the tapes are erased and re-used.

In view of the urgency in making progress in the direction of a solution for a Comprehensive Test Ban, the Secretary-General would greatly appreciate it if the information requested above could be forwarded to him with the least possible delay for transmission to the ENDC.

Statement by the Soviet Representative (Roshchin) to the Eighteen Nation Disarmament Committee, August 19, 1969 [1]

94. In connexion with the fact that the membership of our Committee has increased by the addition of new participants, the representatives of six countries—Hungary, Argentina, Morocco, the Netherlands, Pakistan, Yugoslavia—allow me first of all to welcome you, Mr. Chairman, and all our new colleagues in the Committee and to wish you every success in the responsible and honourable task of solving disarmament problems. We express the hope that the participation of the representatives of the aforesaid countries in the work

[1] ENDC/PV. 429, pp. 32–39.

of our Conference will contribute to progress in the work of the Committee in carrying out the important and responsible tasks which are set before it in the field of disarmament. I welcome the participation of our new colleagues in the work of the Committee with all the more satisfaction because the countries which they represent have invariably shown great interest in the problems of disarmament and expressed a persistent desire to contribute to the solution of the tasks set before the Committee. By their participation in the Committee the six new States, which play an important role in international affairs, widen the prospects of constructive work by the Committee in solving urgent problems of disarmament.

95. In the agenda of our Committee which was agreed upon and approved on 15 August 1968, an important place is given to the question of further effective measures relating to the cessation of the nuclear arms race at the earliest date and to nuclear disarmament.[2] The particular significance of the aforesaid question is explained by the fact that out of all the weapons existing today nuclear weapons are the most destructive and deadly means of warfare. This particular fact was stressed in the resolutions of the last session of the General Assembly. Many of the representatives who have spoken during the current and the spring sessions of the Committee, including those who have spoken today at the present meeting, have referred to the need to exert greater efforts in order to achieve progress towards the prohibition of nuclear weapons, the cessation of their production and the elimination of all stockpiles.

96. In our statement today we should like to set forth briefly once again the position of the Soviet Union with regard to the major problems of nuclear disarmament. First of all we wish to note that the Committee, in considering partial disarmament measures such as, for instance, demilitarization of the sea-bed, is thus contributing to some extent to the solution of the overall problem—nuclear disarmament as a whole. Through individual measures, however limited they may seem at first sight, it is possible to reduce the size of the springboard on which the defenders of the nuclear arms race and those circles which base their military and political concepts on plans for the use of nuclear weapons, and consequently for the further development and stockpiling of such weapons, continue to hold their positions.

97. A number of very important recent agreements relating to the field of disarmament show convincingly that, given the desire, it is possible to achieve success in the struggle to prevent a further extension of the nuclear arms race. These agreements are well known and can be an encouraging example for us in our work. I refer to such agreements as the Antarctic Treaty,[3] the Moscow Treaty on the partial prohibition of nuclear weapons concluded in 1963,[4] the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space concluded in 1967,[5] and lastly the Treaty on the Non-Proliferation of Nuclear Weapons.[6] These Treaties are important

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[2] *Documents on Disarmament, 1968*, p. 583.
[3] *Ibid., 1945–1959*, vol. II, pp. 1550–1556.
[4] *Ibid., 1963*, pp. 291–293.
[5] *Ibid., 1967*, pp. 38–43.
[6] *Ibid., 1968*, pp. 461–465.

milestones on the road towards our major objective—the prohibition and elimination of nuclear weapons.

98. The position of the Soviet Union in regard to nuclear disarmament, as you are aware, was set forth in the Memorandum of the Government of the USSR of 1 July 1968 on some urgent measures for stopping the arms race and for disarmament.[7] That Memorandum stated the readiness of the Soviet Union to begin negotiations on the complete cessation of the production of nuclear weapons, the reduction of stockpiles and the subsequent complete prohibition and elimination of nuclear weapons under appropriate international control. The Soviet Government proposed to all other nuclear States that such negotiations should begin forthwith in order to bring about the most complete nuclear disarmament.

99. Speaking on 10 July at the session of the Supreme Soviet of the USSR, the Minister of Foreign Affairs of the Soviet Union, Mr. Gromyko, reaffirmed the desire of the Soviet Government to discuss the problem of nuclear disarmament. He stated:

> All the main problems relating to complete nuclear disarmament and the elimination of nuclear weapons—in other words, to prevention of the use of atomic energy for the production of nuclear weapons—can be solved in the right way only with the participation of all the nuclear Powers, and I stress the word 'all'. The Soviet Government is ready, as in the past, to discuss this immensely important question with the representatives of other nuclear Powers.[8]

The Soviet Union is prepared already at the present time to agree to partial measures aimed at complete nuclear disarmament and to elaborate and conclude the necessary international agreements in this connexion without delay.

100. The achievement of an agreement on prohibition of the use of nuclear weapons would be an important step towards solution of the problem of nuclear disarmament and the complete elimination of the threat of a nuclear war. An agreement on this subject would be an important restraining factor for all those who might purpose to use nuclear weapons. By dispelling the suspicions of certain States in regard to other States in connexion with the question of the possible use of nuclear weapons, such an agreement would contribute to improvement of the international atmosphere. It is to be regretted, however, that the other nuclear Powers have not expressed their desire, as the Soviet Union has done, to outlaw nuclear weapons.

101. One of the top priority places among the partial measures that contribute towards nuclear disarmament is assigned to the question of the cessation of underground nuclear tests. Last year's session of the United Nations General Assembly, in resolution 2455 (XXIII), called upon "all nuclear-weapon States to suspend nuclear weapon tests in all environments".[9]

102. The Soviet Union once again set forth its position in regard to that question in the Memorandum of the Soviet Government dated 1 July 1968, to which I have already referred. That Memorandum states:

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[7] *Ibid.*, pp. 466–470.
[8] *Ante*, p. 316 (variant translation).
[9] *Documents on Disarmament, 1968*, pp. 796–797.

The Soviet Union has been and continues to be a steadfast advocate of the prohibition of all nuclear-weapon tests, believing that the banning of all tests will promote the consolidation of peace and the slackening of the arms race. The Soviet Government is prepared to reach agreement without delay on the banning of underground nuclear-weapon tests on the basis of the use of national means of detection to control observance of the ban.[10]

103. The question of an international exchange of seismic data has been dealt with in last year's General Assembly resolution 2455 (XXIII), to which I have already referred and in the statements and working papers of a number of delegations in our Committee, in particular in the working paper of the Canadian delegation.[11] We have already set forth our position in regard to this question,[12] in connexion with the consideration of the idea put forward by the delegation of Sweden regarding the creation of a so-called "detection club".[13] The Soviet side remarked that this idea deserved attention if in that way it would be possible to go as far as to conclude a mutually acceptable treaty banning underground tests of nuclear weapons. In this connexion we believe that participation in an international exchange of seismic data should in no way impose upon the participants in such an exchange any obligations in regard to the carrying out of international inspections on their territories, and that the assessment of the collected data should be carried out, not by any supra-national international organ, but by each of the States parties to the treaty. Of course, the supply of seismic data by States should be carried out on a voluntary basis.

104. However, as practice has shown, the idea of an international exchange of seismic data is usually linked by the Western Powers with the creation of some sort of international centre and with the carrying out of on-site inspection. Thus the United Kingdom delegation, in advocating an international exchange of seismic data, expressed itself in favour of the creation of international machinery and linked this exchange of seismic data with its proposal[14] for the creation of a committee which would have also the right to carry out inspections.[15]

105. The Soviet Union considers that the development of modern science and technology has reached a level which makes it possible to exercise control through the use of national means over the fulfilment of an agreement banning underground tests. Control would give all States the assurance that the agreement in question was being conscientiously carried out. Of course, if one is anxious to continue underground nuclear tests, one can clutter the way to an agreement with a great number of artificial obstacles, including those of a scientific and technical character, in order to justify one's negative attitude. The history of the many years of negotiations on the cessation of nuclear weapon tests provides us with numerous examples of the way in which those who wanted to delay the solution of the problem of tests have acted at times precisely in this direction. If, on the contrary, States have the firm desire and determination to put an end,

[10] *Ibid.*, p. 468 (variant translation).
[11] *Ante*, pp. 231–233 and *supra*.
[12] *Ante*, pp. 242–244.
[13] *Documents on Disarmament, 1965*, pp. 390–393.
[14] ENDC/232, Aug. 20, 1968.
[15] ENDC/PV. 404, pp. 6 ff.

once and for all, to dangerous nuclear weapon tests underground, then all the possibilities exist for concluding an appropriate international agreement and for its subsequent implementation.

106. We are convinced that none of the nuclear Powers will venture to violate the agreement banning underground nuclear tests when national means of detection are used for control over the implementation of that agreement. In the conditions where dozens of States possess sensitive seismic equipment capable of detecting and identifying nuclear explosions over great distances, there is too great a risk that a violation of the agreement would be discovered. For its part, the Soviet Union is ready without delay to sign an agreement banning nuclear-weapon tests on the basis of the use of national means of detection, and strictly to abide by the agreement.

107. Certain delegations have put forward here in the Committee various proposals for a partial solution of the problem of banning underground nuclear tests which, in short, come to the following: that the more powerful underground nuclear weapons up to a certain threshold should be banned, and that the rest of the underground tests should be banned on the basis of an additional agreement. A proposal of that nature was put forward, in particular, as the members of the Committee are aware, by the delegation of the United Arab Republic which proposed the banning of underground nuclear weapon tests above the threshold of a magnitude of 4.75, with the establishment by the nuclear Powers of a moratorium on underground weapons tests below that threshold.[16] We should like to stress that the Soviet side gives its assent to this proposal of the United Arab Republic in the interests of reaching an agreement as quickly as possible, although we are convinced that all underground nuclear explosions, including explosions with a magnitude below the threshold of 4.75, can be detected with national seismic means.

108. In the opinion of the Soviet delegation the achievement of an agreement on underground tests depends upon a political decision of the Governments of the nuclear Powers. The demand for the solution of the problem of banning underground nuclear tests on the basis of on-site inspection not only does not help towards concluding an agreement in regard to the problem but, on the contrary, blocks its solution.

109. In the course of the negotiations in the Eighteen-Nation Committee a number of delegations, besides those I have previously mentioned, have put forward some other proposals relating to the field of nuclear disarmament. In particular, considerable attention has been devoted to the question of creating denuclearized zones in various parts of the world. In its memorandum dated 1 July 1968 the Soviet Government confirmed that it supported the creation of such zones, basing itself on the premise that such a measure should effectively limit the area of deployment of nuclear weapons and fully correspond to the objective of preventing their direct or indirect proliferation.[17]

110. The Minister of Foreign Affairs of the Soviet Union, Mr. Gromyko, in his statement to which I have already referred earlier, dwelt particularly on the question of denuclearized zones. He

[16] *Documents on Disarmament, 1965*, p. 345.
[17] *Ibid., 1968*, p. 469.

stressed that the Soviet Union continued to believe that the creation of a zone free of nuclear missiles in the area of the Mediterranean would be of enormous significance for the security of Europe, of the African continent and of the Near and Middle East. The non-deployment of nuclear weapons and of the means of their delivery in the Mediterranean area is one of the most important questions which deserves serious consideration by the interested States, and today it is more urgent than ever before.

111. In pursuing its peace-loving foreign policy, the Soviet Union has invariably advocated the all-round strengthening of international security. In that connexion we should like once again to draw attention to the well-known proposals of the Soviet Union and other socialist States on questions of collective security in Europe and in Asia.

112. Besides the consideration and agreeing of a number of partial measures in the field of nuclear disarmament, to which the Committee has devoted considerable attention, there is also the important task of giving effect to the decisions already agreed in this field. This relates above all to the Treaty on the Non-Proliferation of Nuclear Weapons.[18] The supporters of that Treaty can note with satisfaction that so far it has been signed by over ninety States and that eighteen of them have ratified that international agreement. As is known, the Soviet Union has decided to begin the process of ratification of the non-proliferation Treaty.

113. In this connexion we should like to express the hope that most of the countries of the world will treat with the utmost responsibility the important task of consistently implementing the non-proliferation Treaty and will exert every effort to ensure that this agreement, which was elaborated as a result of lengthy and difficult negotiations with due regard to the views and positions of the various States, is put into force without further delay.

114. The peoples of the world are closely watching the actions of those governments that have not as yet signed the non-proliferation Treaty. The attempts of opponents of the Treaty to gain access to nuclear weapons or to arrange for their production will be met with general and resolute condemnation throughout the world.

115. We express our support for the statements that have been made during the current session of the Committee by the representatives of Poland, Czechoslovakia, the United Arab Republic, the United Kingdom, Canada, the Netherlands and a number of other States which have spoken in favour of the earliest ratification and entry into force of the non-proliferation Treaty. In this connexion we should like to draw the attention of the Committee to that part of the statement made by the representative of the Polish People's Republic in which he stated:

> . . . to be fully effective the Treaty must be signed, ratified and faithfully observed by all countries, and in particular by those with advanced possibilities for producing nuclear weapons.[19]

116. The implementation of the non-proliferation Treaty would be an important contribution to the cause of relaxing international ten-

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[18] *Ibid.*, pp. 461–465.
[19] ENDC/PV. 399, p. 15.

sion and strengthening peaceful relations between States. Its entry into force would give an additional impetus to further disarmament negotiations which the parties to the non-proliferation Treaty undertook under its article VI to pursue in good faith on effective measures relating to cessation of the arms race, and in the first place the nuclear arms race.

117. In conclusion we should like to stress once again that nuclear disarmament is the most important problem of the present time. In solving individual partial problems in this field, we are paving the way to the elimination of the threat of a nuclear war. Progress in that direction depends on the readiness of States to agree to the implementation of definite measures in the field of disarmament. The task of the Committee is, above all, to prepare and agree upon political solutions of the problems of disarmament and, in the first place, the solution of the problem of eliminating the danger caused by the nuclear arms race.

Statement by the Italian Representative (Caracciolo) to the Eighteen Nation Disarmament Committee: Organic Disarmament Program, August 20, 1969 [1]

First of all I should like to express my gratitude to the co-Chairmen for having accepted to convene this meeting for a preliminary discussion regarding the Committee's report to the XXIV session of the General Assembly and to thank all Delegations for graciously accepting this extra burden on their daily work. I should also like to avail myself of this opportunity to extend my warmest welcome to the Delegations that have joined our Committee more recently. This welcome applies, of course, to all the six new Delegations equally, with whose Governments, my own has the most friendly relations. May I add, however, in view of the very close collaboration existing between our respective Countries in different fields, that we are particularly happy to see among us the Delegation of the Netherlands.

I will now try to explain to the Committee the reasons that have prompted me to address the request for this meeting on behalf of my Delegation.

The main reason stems from the feeling that our discussions have reached a crucial stage. Though we are confronted with more draft treaties than we have discussed before, on each of them the views of the nuclear delegations are still wide apart and we see at present few prospects for reaching any agreement before the end of this session. Therefore, despite the valuable efforts made during the present session and the concrete contributions of all delegations, the ultimate goal of our negotiations—which is actual disarmament, especially in the nuclear field—is still far from sight. Even if some progress were to be made in these last few weeks in one more specific field (and Italy would be among the first to welcome such development), it would

[1] ENDC/263, Aug. 20, 1969. The statement was made at an informal meeting.

very likely be progress towards an agreement on a non-armament measure rather than progress toward strictly disarmament measures.

On the other hand, we are confronted with resolutions from the General Assembly and with the Agenda formulated by our very Committee,[2] both of which clearly indicate the direction our work should take. In other words, there seems to be a certain gap between the work we are supposed to do and the one we are actually doing.

We are also approaching the moment when the valuable and important work we have done in 1969 will come under the scrutiny of the General Assembly. That body will have no other way to judge it, than by going through the final report submitted, as in previous years, by our Committee. I am afraid that a report of a factual character, that is a report mentioning only, in less or greater detail, the topics discussed, the meetings that have taken place, and the documents that have been submitted, would lend substance to the criticisms we have heard in the past, which imply that the structure of our Committee is not the most suitable one in order to fulfill the task that has been given to us. The very existence and the very survival of our Committee might then be jeopardized. We therefore believe, and we hope that this belief is shared by other delegations, that this year's report to UNGA should have a substantial character.

Another valid reason why the report to the XXIV Assembly should be this year, of a more positive character is the fact that our Committee has undergone a substantial enlargement with the addition of eight new members; this is a milestone in the history of the ENDC and, in our opinion, it should be marked by a renewed effort by the Committee to prove that real efforts are being made to come close to the expectation of mankind which still looks upon this body as a concrete hope for making progress along the hard but essential road to disarmament.

The important point is, therefore, to agree on what is meant by a substantial report.

As I said, before, I do not think that even a lengthy list of topics, of meetings, and of papers, would be sufficient to qualify our report as a substantial one, or that it would give the General Assembly that ray of hope it is entitled to, and is looking forward to. No doubt it will show that we have been very hard at work and that we have made great efforts during this year's session, but I am afraid that just would not be enough to inspire confidence on the results we may attain in the future. A substantial report would, in our mind, be achieved if besides synthesizing the core of our discussions and the difficulties we have met, we were to devote a certain part of it, to some hard thinking on the shape and nature of our future activities. By doing so we would at least convey to the General Assembly our earnest conviction that though we have not been able so far, because of objective difficulties, to make substantial progress in the fields assigned to us, progress could be reasonably expected, in a not too distant future, through an improvement in our methods of work, coupled with a renewed determination on the part of our Governments.

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[2] *Documents on Disarmament, 1968*, pp. 583–584.

The Italian Delegation has, for a long time, upheld the necessity of an organic programme of disarmament. By organic programme we meant something different and more precise than the provisional Agenda we agreed upon on 15 August 1968 exactly one year ago: the Agenda was, in part, mainly a list of headings for the members of the Committee to discuss. What we have in mind is a clearer definition of a programme of work, both short and long term.

Of course our intention never was to suggest a philosophical exercise or an academic discussion, nor did we ever think, that the pieces of this programme should be linked one to another with rigid ties to form a sort of a package deal.

The kind of programme we had in mind was instead a very flexible one, but one that could somehow provide the necessary guidelines for our future work and increase its efficiency. We are, in fact, fully aware of the tremendous difficulties which lie on the road to general and complete disarmament and which stem from the harsh facts of international life: mainly the necessity to maintain the balance of forces as a prerequisite to armament reductions. It is, however, undeniable that the search for an agreement on several specific sectors has made us lose, to a certain extent, the indispensable over-all view. And this is a dangerous fact since the balance of interests, which is the natural foundation of any agreement, is all the more difficult to achieve if the search for it is limited by the narrow framework of each specific measure. It was with the purpose of regaining this over-all view, of trying to bring our starting point closer to our final goal, that we tabled, at the last session, the working paper ENDC/245.

I would like to summarize the suggestions we submitted in our working paper in order to furnish a concrete example of the thoughts I am trying to express:

We first listed some of the basic premises of present ENDC negotiations; they are well known to everybody and therefore I need not dwell on them: it would be sufficient to quote the joint statement of agreed Principles for Disarmament negotiations submitted in September 1961 to the Geneva Conference by the Governments of the USA and of USSR;[3] the plans for general and complete disarmament submitted respectively by the Soviet and the American delegations on 15 March[4] and on 18 April, 1962;[5] Resolution 2454 B (XXIII) of the General Assembly;[6] and the most significant premise of them all, that is art. VI of the N.P.T. by which the nuclear powers, as well as the other parties to the Treaty, undertook . . . "to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control".[7]

After having recalled these premises of our work, we expressed in our document the belief that the aim of ENDC negotiations, that is general and complete disarmament, could best be attained by a series

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[3] *Ibid., 1961*, pp. 439–441.
[4] *Ibid., 1962*, vol. I, pp. 103–127.
[5] *Ibid.*, pp. 351–382.
[6] *Ibid., 1968*, pp. 795–796.
[7] *Ibid.*, p. 464.

of agreements to be reached in a suitable sequence—that is within the framework of an over-all programme—so as to guide the process of disarmament from the introductory stage to the final one. Though we did not deem it proper, at this stage, to anticipate detailed propositions we thought, only as a matter of suggestion—that a suitable sequence could proceed along the following lines which I will express in five points:

(1) Since a wide consensus seems to exist on the point that priority should be given to negotiations on interrelated subjects with a direct bearing on the problem of stopping the vertical proliferation of nuclear weapons by states now possessing them, we thought that within this framework, the beginning of bilateral talks between the Governments of the USA and USSR for the limitation of strategic armaments was, of course, of paramount importance.

(2) We then thought that in a preliminary stage new efforts should be made to carry on discussions in order to reach agreement on measures aimed at preventing the spread of nuclear weapons to new environments where they have never been deployed, and at limiting the zones in which they may actually be deployed.

(3) In this same preliminary stage, we also thought that other measures might be negotiated in order to promote a climate of greater confidence among Nations. Such measures could apply to specified Parties, having particularly in view the situation prevailing in Europe as one of the focal points of international tension.

(4) After significant progress had been made towards the cessation of the nuclear arms race and the creation of an atmosphere of greater confidence, a first stage of concrete negotiations on actual disarmament could then take place.

(5) Subsequent negotiations on further stages, linked to one another and following the principle of gradual and balanced reductions, might then lead to the ultimate goal of general and complete disarmament.

As I said these were the general thoughts that prompted my Delegation to introduce its working paper on 21 April.[8] We never had the pretention that they could represent the only or a complete answer to the problems we mentioned; we only hoped that they could constitute a useful contribution to a general discussion on the subject.

Today we are confronted with a first draft report prepared by our co-Chairmen. While expressing the appreciation of my Delegation for the effort they have made in presenting us with a complete text in such a short time, and for giving us the opportunity to consider it with all the attention it deserves, I am sorry not to be in the position, as of today, to comment on it in detail and to give our reactions. On the other hand, this meeting having been requested for the purpose of enabling all Delegations to participate in a preliminary discussion on the drafting of this Report, we shall certainly study, in the next few days, the text that has been submitted to us informally with the greatest attention, also in the light of the comments that other Delegations will wish to make.

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[8] *Ante*, pp. 189–191.

I would also like to ask the Secretariat to circulate my statement of today as an official document of the Conference.

Canadian Draft General Assembly Resolution on Chemical and Bacteriological (Biological) Warfare, August 26, 1969 [1]

The General Assembly,

Recalling its Resolution 2454 (A) (XXIII) of 20 September [*December*] 1968,[2]

Having considered the Report of the Secretary-General of 1 July on chemical and bacteriological (biological) weapons and the effects of their possible use,[3]

Noting the recommendations of the Secretary-General contained in the foreword to his Report,

Noting further the conclusion of the Report that chemical and bacteriological (biological) weapons stand in a class of their own as armaments which exercise their effects solely on living matter,

Sharing the sense of horror also expressed in the Report at the idea that bacteriological (biological) weapons could deliberately be used to spread disease,

Mindful of the further conclusion of the Report that the prospects for general and complete disarmament under strict and effective international control and hence for peace throughout the world would brighten significantly if the development, production and stockpiling of chemical and biological agents intended for purposes of war were to end and if they were eliminated from all military arsenals,

Having considered the Report of the Eighteen-Nation Committee on Disarmament on its preliminary consideration of the action to be taken in the light of the Report of the Secretary-General,

Recognizing the importance of the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare signed at Geneva on 17 June 1925,[4]

Conscious of the need to maintain inviolate the Geneva Protocol and to ensure its universal applicability,

1. *Reaffirms* Resolution 2162 (B) of 5 December 1966 [5] and calls anew for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;
2. *Invites* all States to accede to the Geneva Protocol;
3. *Welcomes* the Report of the Secretary-General on chemical and bacteriological (biological) weapons and on the effects of their pos-

[1] ENDC/266, Aug. 26, 1969.
[2] *Documents on Disarmament, 1968*, pp. 793–795.
[3] *Ante*, pp. 264–298.
[4] *Post*, pp. 764–765.
[5] *Documents on Disarmament, 1966*, pp. 798–799.

sible use, and expresses its appreciation to the Secretary-General and to the consultant experts who assisted him;

4. *Requests* the Secretary-General to publicize the Report in as many languages as is considered desirable and practicable, making use of the facilities of the United Nations Office of Public Information;

5. *Recommends* to all Governments the publication of the Report, translated as appropriate, so as to acquaint public opinion with its contents, and invites the specialized agencies, regional inter-governmental organizations, and national and international non-governmental organizations to use their facilities to make the Report widely known;

6. *Recommends* the Report of the Secretary-General to the Eighteen-Nation Committee on Disarmament as a basis for its further consideration of the question of the elimination of chemical and bacteriological (biological) weapons;

7. *Commends* the draft Convention on the Prohibition of Biological Methods of Warfare submitted by the United Kingdom and urges the Eighteen-Nation Committee on Disarmament to complete work on this draft Convention at an early date; and

8. *Requests* the Eighteen-Nation Committee on Disarmament to present a report on progress on all aspects of the problem of the elimination of chemical and bacteriological (biological) weapons to the XXV United Nations General Assembly.

Revised British Draft Convention for the Prohibition of Biological Methods of Warfare, August 26, 1969 [1]

THE STATES CONCLUDING THIS CONVENTION, hereinafter referred to as the "Parties to the Convention".

RECALLING that many States have become Parties to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[2]

RECOGNISING the contribution that the said Protocol has already made, and continues to make, to mitigating the horrors of war,

RECALLING FURTHER United Nations General Assembly Resolutions 2162B (XXI) of 5 December, 1966,[3] and 2454A (XXIII) of 20 December, 1968,[4] which called for strict observance by all States of the principles and objectives of the Geneva Protocol and invited all States to accede to it,

BELIEVING that chemical and biological discoveries should be used only for the betterment of human life,

RECOGNISING nevertheless that the development of scientific knowledge throughout the world will increase the risk of eventual use of biological methods of warfare,

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[1] ENDC/255/Rev. 1, Aug. 26, 1969.
[2] *Post*, pp. 764–765.
[3] *Documents on Disarmament, 1966*, pp. 798–799.
[4] *Ibid., 1968*, pp. 793–795.

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CONVINCED that such use would be repugnant to the conscience of mankind and that no effort should be spared to minimise this risk,

DESIRING therefore to reinforce the Geneva Protocol by the conclusion of a Convention making special provision in this field,

DECLARING their belief that, in particular, provision should be made for the prohibition of recourse to biological methods of warfare in any circumstances.

HAVE AGREED as follows:

ARTICLE I

Each of the Parties to the Convention undertakes, insofar as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare, never in any circumstances, by making use for hostile purposes of microbial or other biological agents causing death, damage or disease by infection or infestation to man, other animals, or crops, to engage in biological methods of warfare.

ARTICLE II

Each of the Parties to the Convention undertakes:

(a) not to produce or otherwise acquire, or assist in or permit the production or acquisition of:

(i) microbial or other biological agents of types and in quantities that have no independent justification for prophylactic or other peaceful purposes;

(ii) ancillary equipment or vectors the purpose of which is to facilitate the use of such agents for hostile purposes;

(b) not to conduct, assist or permit research aimed at production of the kind prohibited in sub-paragraph (a) of this Article; and

(c) to destroy, or divert to peaceful purposes, within three months after the Convention comes into force for that Party, any stocks in its possession of such agents or ancillary equipment or vectors as have been produced or otherwise acquired for hostile purposes.

ARTICLE III

1. Any Party to the Convention which believes that biological methods of warfare have been used against it may lodge a complaint with the Secretary-General of the United Nations, submitting all evidence at its disposal in support of the complaint, and request that the complaint be investigated and that a report on the result of the investigation be submitted to the Security Council.

2. Any Party to the Convention which believes that another Party has acted in breach of its undertaking under Articles I and II of the Convention, but which is not entitled to lodge a complaint under Paragraph I of this Article, may lodge a complaint with the Security Council, submitting all evidence at its disposal, and request that the complaint be investigated.

3. Each of the Parties to the Convention undertakes to co-operate fully with the Secretary-General and his authorised representatives in any investigation he may carry out, as a result of a complaint, in accordance with Security Council Resolution No. ------.

ARTICLE IV

Each of the Parties to the Convention affirms its intention to provide or support appropriate assistance, in accordance with the United Nations Charter, to any Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party.

ARTICLE V

Each of the Parties to the Convention undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare.

ARTICLE VI

Nothing contained in the present Convention shall be construed as in any way limiting or derogating from obligations assumed by any State under the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June, 1925.

ARTICLE VII

[Provisions for amendments.]

ARTICLE VIII

[Provisions for Signature, Ratification, Entry into Force, etc.]

ARTICLE IX

1. This Convention shall be of unlimited duration.
2. Each Party shall in exercising its national sovereignty have the right to withdraw from the Convention, if it decides that extraordinary events, related to the subject matter of this Convention, have jeopardised the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Convention and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it regards as having jeopardised its supreme interests.

ARTICLE X

[Provisions on languages of texts, etc.]

Revised British Draft Security Council Resolution on Biological Warfare, August 26, 1969 [1]

THE SECURITY COUNCIL,

WELCOMING the desire of a large number of States to subscribe to the Convention for the Prohibition of Biological Methods of War-

[1] ENDC/255/Rev. 1, Aug. 26, 1969.

fare,[2] and thereby undertake never to engage in such methods of warfare; to prohibit the production and research aimed at the production of biological weapons; and to destroy, or divert to peaceful purposes, such weapons as may already be in their possession,

NOTING that under Article III of the Convention, Parties will have the right to lodge complaints and to request that the complaints be investigated,

RECOGNISING the need, if confidence in the Convention is to be established, for appropriate arrangements to be made in advance for the investigation of any such complaints, and the particular need for urgency in the investigation of complaints of the use of biological methods of warfare,

NOTING further the declared intention of Parties to the Convention to provide or support appropriate assistance, in accordance with the Charter, to any other Party to the Convention, if the Security Council concludes that biological methods of warfare have been used against that Party,

REAFFIRMING in particular the inherent right, recognised under Article 51 of the Charter, of individual and collective self-defence if an armed attack occurs against a Member of the United Nations, until the Security Council has taken measures necessary to maintain international peace and security,

1. Requests the Secretary-General

(a) to take such measures as will enable him

(i) to investigate without delay any complaints lodged with him in accordance with Article III.1 of the Convention;

(ii) if so requested by the Security Council, to investigate any complaint made in accordance with Article III.2 of the Convention; and

(b) to report to the Security Council on the results of any such investigation.

2. Declares its readiness to give urgent consideration

(a) to any complaint that may be lodged with it under Article III.2 of the Convention; and

(b) to any report that the Secretary-General may submit in accordance with operative paragraph 1 of this Resolution on the result of his investigation of a complaint; and if it concludes that the complaint is well-founded, to consider urgently what action it should take or recommend in accordance with the Charter.

3. Calls upon Member States and upon Specialised Agencies of the United Nations to co-operate as appropriate with the Secretary-General for the fulfilment of the purposes of this Resolution.

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[2] *Supra.*

Twelve-Nation Working Paper Submitted to the Eighteen Nation Disarmament Committee: Proposed General Assembly Declaration Regarding Prohibition of the Use of Chemical and Biological Methods of Warfare, August 26, 1969 [1]

The General Assembly,

Considering that chemical and biological methods of warfare have always been viewed with horror and been justly condemned by the international community;

Considering that these methods of warfare are inherently reprehensible, because their effects are often uncontrollable and unpredictable and may be injurious without distinction to combatants and non-combatants and because any use would entail a serious risk of escalation;

Recalling that successive international instruments have prohibited or sought to prevent the use of such methods of warfare;

Noting specifically in this regard

that the majority of States then in existence adhered to the Geneva Protocol of 17 June 1925,[2]

that since then further States have become Parties to that Protocol,

that yet other States have declared that they will abide by its principles and objectives,

that these principles and objectives have commanded broad respect in the practice of States, and

that the General Assembly, without any dissenting vote, has called for the strict observance by all States of the principles and objectives of the Geneva Protocol;

Recognizing therefore, in the light of all the above circumstances, that a customary rule of international law prohibits the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments;

Mindful of the Report of the Group of Experts, appointed by the Secretary-General of the United Nations under General Assembly Resolution 2454 A (XXIII) of 20 December 1968,[3] on chemical and bacteriological (biological) weapons and the effects of their possible use, published on 1 July 1969; [4]

Considering that this Report and the Foreword to it by the Secretary-General adds further urgency for an affirmation of this rule and for dispelling, for the future, any uncertainty as to its scope and, by such affirmation, to assure the effectiveness of the rule and to enable all States to demonstrate their determination to comply with the rule;

Condemns and declares as contrary to international law the use in international armed conflicts of any chemical agents of warfare: chemi-

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[1] ENDC/265, Aug. 26, 1969. The paper was submitted by Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, UAR, and Yugoslavia.

[2] *Post*, pp. 764–765.

[3] *Documents on Disarmament, 1968*, pp. 793–795.

[4] *Ante*, pp. 264–298.

cal substances, whether gaseous, liquid, or solid, which might be employed because of their direct toxic effects on man, animals or plants, and any biological agents of warfare: living organisms, whatever their nature, or infective material derived from them, which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

Statement by the British Representative (Porter) to the Conference of the Committee on Disarmament: Prohibition of Biological Warfare, August 26, 1969 [1]

38. This morning I should like to introduce some amendments to the draft convention for the prohibition of biological methods of warfare [2] and the related draft Security Council resolution tabled and introduced by Mr. Mulley on 10 July.[3] We are grateful to the delegations which have commented on these texts, and in some cases we have already been able to develop new or modified language to meet their points. We hope that other governments represented here will also comment for we regard this process of consultation and improvement as a continuous one leading to a text which will be generally acceptable to members of this Committee.

39. I have set out the proposed changes in a paper which is before the Committee. The Secretariat has also circulated the amended text as an ENDC document.[4] We have not yet made proposals for the missing administrative articles VII, VIII and X, since this we believe would be premature until some progress has been made on the articles of substance already tabled. For the time being we should like to concentrate on these.

40. You will notice that our amendments remain within the framework of a convention for the prohibition of biological methods of warfare. A number of delegations have advocated that chemical and biological methods of warfare should be dealt with together in the same document. The Committee will recall the reasons given by Mr. Mulley on 10 July [5] and in earlier statements for drafting, in the first instance, a convention on biological weapons. We cannot agree that it is impossible to distinguish between chemical and biological methods of warfare. The biological weapon is the only self-propagating weapon in existence; that is to say, a weapon which has the ability to multiply itself. That is why the effects of such weapons are likely to be not only horrifying but indiscriminate. What we are seeking to prohibit therefore is, in one sense, the most inhuman of all weapons; a living weapon which seeks out people to destroy them. We fully

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[1] CCD/PV. 431, pp. 11–16.
[2] *Ante*, pp. 324–326.
[3] *Ante*, p. 327.
[4] *Ante*, pp. 431–433.
[5] *Ante*, pp. 318–324.

sympathize with the desire, expressed by so many delegations, for further work on chemical weapons, and the determination to pursue this is expressed formally in article V of our draft convention which as amended explicitly commits all parties "to pursue negotiations in good faith on effective measures to strengthen existing constraints on chemical methods of warfare". We do not believe however that progress on a convention on chemical warfare would be expedited by stopping work on the draft convention on biological warfare which is already before us.

41. In this connexion we fully share the objection of the representative of Sweden to the use which is being made here of the term "biochemical".[6] Biochemistry is a distinct scientific discipline which lies on the borderline between chemistry and biology. The inaccurate use of the adjective "biochemical" as a kind of umbrella term to cover both "chemical" and "biological" is simply misleading.

42. We have examined ways of strengthening the commitment to further negotiation in article V. On 5 August Mrs. Myrdal pointed out that the wording of the previous draft—"to strengthen the existing constraints on the use of chemical methods of warfare"—could be interpreted to mean that negotiations would aim at a convention more limited in scope than our draft convention on biological weapons, which also covers production and possession.[7] It was not our intention, of course, to preclude consideration of a prohibition of production and possession of chemical weapons. On the other hand we could not simply add a reference to production and possession in article V as Mrs. Myrdal suggested because there are no "existing constraints" on these. Therefore we have dropped the words "the use of" so that the article now reads:

> Each of the Parties to the Convention undertakes to pursue negotiations in good faith on effective measures to strengthen the existing constraints on chemical methods of warfare.

43. I should like now to consider a more radical suggestion made by the representative of Sweden, who proposed that article I of our draft convention should be omitted since, in view of the prohibition of use already contained in the Geneva Protocol,[8] it was redundant.[9] The representative of the United Arab Republic made a similar point this morning. Mrs. Myrdal suggested further that the article should be replaced by something on the lines of our present article VI which, you will recall, is a disclaimer article concerning the Geneva Protocol. I can understand that from the point of view of Sweden, which became a party to the Geneva Protocol without entering any reservation, article I might not seem to represent any additional commitment, but the fact remains that many other States parties to the Protocol entered reservations which had the effect of making this instrument a "no

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[6] *Ante*, p. 391.
[7] *Ante*, p. 396.
[8] *Post*, pp. 764–765.
[9] *Ante*, p. 395.

first use" agreement only. Some parties have taken the view also that the Geneva Protocol entitles them to use chemical and biological weapons first against non-parties. There is therefore no such thing as what has been called "universality of commitment" under the Protocol. Since in practice the Geneva Protocol means different things to different people it would be doubly unsatisfactory to base the remaining articles in our convention on a first article which simply echoed the Protocol. We attach great importance, for instance, to the provisions in article III, paragraph 1, of our draft convention for a complaints machinery to deal with allegations of use. This, we believe, would give parties much greater confidence that the prohibition of use in article I would not be violated. However, article III, paragraph 1 depends on a precise statement and understanding of the prohibition it is to cover, and this is provided by our article I.

44. However, in order to remove any impression that article I is merely duplicating the Geneva Protocol we have amended it in the following way. The undertaking by a party not to engage in biological methods of warfare is now qualified by the clause:

> in so far as it may not already be committed in that respect under Treaties or other instruments in force prohibiting the use of chemical and biological methods of warfare.

This clause, taken together with article VI, makes it quite clear that existing commitments under the Geneva Protocol and earlier international agreements are in no way affected by our draft convention. Some countries, in becoming parties to our convention, would undertake additional commitment under article I; others would not. All would end up with the uniform obligation never in any circumstances to engage in biological methods of warfare.

45. The definition in article I of our convention is meant to be comprehensive and to cover all possible forms of biological warfare. In our revised version we have closed one small loophole. It is conceivable that insects such as colorado beetles or locusts could be used to ruin crops not by killing plants outright but by inflicting heavy damage on them. Therefore we have extended the ban to cover microbial or other biological agents causing damage, as well as those causing death or disease. We do not entirely understand that point made by the representative of Poland on 14 August that our convention offers a restrictive interpretation of the Protocol.[10] So far as bacteriological (biological) weapons are concerned it aims to be comprehensive and we shall be glad to consider ways of filling other possible loopholes that may occur to members of the Committee.

46. We have modified the wording of article II(a)(i) of our draft convention, which some people found confusing. I hope in particular that the new language we propose meets Mrs. Myrdal's concern about the right to develop defence measures against biological weapons.[11] It is our intention to allow the development of passive defence measures, which would include in particular vaccines for protection against possible biological attack. On the other hand this paragraph has to be worded carefully in order to limit the exception strictly to defence

[10] *Ante*, p. 415.
[11] *Ante*, p. 396.

measures—that is, to measures reducing the effectiveness of a biological attack on one's own population.

47. I turn now to article III. We have amended the second paragraph of the article to make it quite clear that a complaint under this paragraph, as in the case of a complaint under the first paragraph, would be supported by all evidence at the disposal of the complaining party.

48. We have sympathy with the Swedish idea concerning increased openness about activities in this field. The Committee will no doubt recall that a similar idea was broached in our working paper of 6 August 1968,[12] but when we examined the implications of the idea further we came to the conclusion that this was essentially a matter for internal regulation. In practice it would be extremely difficult to formalize such arrangement in an international treaty.

49. On 14 August the representative of Japan proposed that a group of experts might meet to consider the problems of verification in the field of chemical and biological weapons.[13] Such studies have already been undertaken in the biological field—I am thinking of the work of the Pugwash Study Group on Biological Warfare and that subsequently undertaken by SIPRI. We ourselves looked very carefully at this aspect before concluding that verification, in the sense in which that word is usually used in disarmament negotiations, is not possible in the biological weapon field and that the complaints procedure we envisage is the right answer in these circumstances. There may be something to be said for considering the question of verification in the field of chemical warfare, and my Government would contribute what it could to any such investigation. But, as we have already made clear, we believe that in the field of biological warfare progress is possible now, without waiting for the results of further studies.

50. We have also made one change in our draft Security Council resolution by adding a preambular paragraph which reaffirms the right of individual and collective self-defence recognized in Article 51 of the United Nations Charter. This paragraph is designed to meet concerns expressed to us that article IV of the draft convention might be taken to derogate from that right.

51. In conclusion, may I say a word about the way we might proceed with the question of chemical and biological warfare?

52. In the first place we have the Geneva Protocol, the principal legal instrument on this subject in force at this time and the point of departure for further measures. In our view nothing should be done here or in the General Assembly which could weaken it. In this connexion we welcome the statement by the representative of Japan on 14 August that his Government would, in certain circumstances, consider ratifying the Protocol; we very much hope that they would indeed consider ratifying it for its own sake and independently of developments here. We would urge other countries to do the same and, like the representative of the United Arab Republic, we support the Mongolian proposal [14] to recommend that the General Assembly should

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[12] *Documents on Disarmament, 1968*, pp. 569–571.
[13] *Ante*, p. 412.
[14] ENDC/PV. 424, pp. 36–37.

appeal urgently to all Governments which have not done so to accede to or ratify the Protocol in the course of 1970, the forty-fifth anniversary of the Protocol and the twenty-fifth anniversary of the United Nations.

53. The General Assembly at its forthcoming session will be very conscious of the fact that the question of chemical and biological warfare is attracting increased interest everywhere. The Secretary-General and his consultant experts have in their excellent report [15] given us the scientific facts; it is now up to governments to proceed. My own Government has contributed a draft convention on the prohibition of biological methods of warfare in an effort to get agreement on something concrete for the next session of the General Assembly. Many delegations have debated the broad procedural question of how to proceed with our work on chemical and biological warfare—whether, for instance, there should be one convention or two interrelated conventions. However some delegations have also tackled and commented on the problems of substance raised by our draft text and we are grateful to them. We hope to have comments from other delegations before the end of the session. We trust that when this Committee meets after the General Assembly it will give urgent attention to the problems of arms control and disarmament in the whole field of chemical and biological weapons. It is against this background that we wish to press on towards the achievement of a comprehensive ban on biological methods of warfare.

Statement by the Canadian Representative (Ignatieff) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons [Extract], August 26, 1969 [1]

54. I should like to make some comments today to introduce our working paper which was circulated this morning and which contains the draft of a General Assembly resolution on the problem of chemical and biological weapons.[2]

55. I will not strain the patience of my colleagues by repeating the comments which were made on this subject by the Canadian delegation on 31 July [3] but I should like to reiterate two points: first, that our resolution has grown out of a desire to overcome, to the extent possible and in the time remaining to us, the difficulties which we seem to be experiencing in moving forward on this important subject, as well as to reflect certain areas which seem to be generally agreed; and, second, it seems to us that it would be useful, if possible, to provide some agreed procedural basis for discussion in the General Assembly in the

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[15] *Ante*, pp. 264–298.
[1] CCD/PV. 431, pp. 16–19.
[2] *Ante*, pp. 430–431.
[3] *Ante*, pp. 373–380.

light not only of the valuable report of the Secretary-General [4] but also of the proposals put forward in this Committee.

56. I might mention as well that we have been particularly encouraged in going ahead with this draft by remarks made by a number of my colleagues at the informal meeting which we held on 20 August to discuss the preliminary report which this Committee is to render to the General Assembly. I refer to the view expressed that it would be desirable for the Committee to try to put forward wherever possible agreed recommendations for the guidance of the General Assembly. We are in agreement with that view, which is fully consistent with the opinion I have expressed that we need to define and work towards the achievement of common grounds and purposes. We believe that the time has come now when, on this subject, we should try to define those common aims and purposes with greater precision.

57. With this in mind may I offer a brief description of the draft resolution which is submitted with this aim in view. I think that the first three preambular paragraphs are self-explanatory. The fourth, fifth and sixth preambular paragraphs have been drawn directly from sections of the Secretary-General's report. The seventh preambular paragraph speaks for itself, while the eighth and ninth reflect the unanimous concern of us all that we do nothing which would in any way derogate from the effectiveness of the 1925 Geneva Protocol.[5]

58. Turning to the operative paragraphs: operative paragraphs 1 and 2 will come as no surprise to my colleagues as the basis for them was contained in the outline I gave in my statement on 31 July. They give, I think, an indication of a common desire in this Committee to see the validity and effectiveness of the 1925 Geneva Protocol upheld and adherence to it widened, whatever else we do. Operative paragraphs 3 to 5 inclusive, while differing somewhat in paragraphing, are similar in substance to the operative paragraphs of United Nations General Assembly resolution 2342 (XXII) [6] dealing with the Secretary-General's report on nuclear weapons.[7]

59. The skeletons of operative paragraphs 6, 7 and 8 were also contained in my statement of 31 July and, therefore, will not be new to the Committee. They represent what might be called the further action elements of the resolution as far as they relate to the work of the Committee.

60. Reserving for a later date comment on the revised draft convention [8] just submitted and explained by the representative of the United Kingdom,[9] I should like to say one or two words in a preliminary way about the other working document on this subject submitted this morning in the names of the delegations of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia.[10] My delegation has had the opportunity of participating in some of the informal discussions,

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[4] *Ante*, pp. 264–298.
[5] The protocol appears *post*, pp. 764–765.
[6] *Documents on Disarmament, 1967*, pp. 729–730.
[7] *Ibid.*, pp. 476–513.
[8] *Ante*, pp. 431–433.
[9] *Supra.*
[10] *Ante*, pp. 435–436.

with the Swedish delegation in particular, which preceded the submission of this draft declaration, and I wish to make it clear that my delegation sees no conflict between the proposals contained in the two working documents circulated today, theirs being substantive and ours being essentially procedural.

61. As my authorities in Ottawa are still studying all the implications of the draft declaration contained in document ENDC/265 I would not wish to offer comments of substance on that proposal this morning. I would say, however, that we find the draft declaration embodies an extremely interesting and ingenious approach to the complex legal problems involved and that its contents merit the most serious consideration of all of us.

Statement by the Swedish Representative (Myrdal) to the Conference of the Committee on Disarmament: Chemical and Biological Weapons, August 26, 1969 [1]

67. This Committee has for more than a year been engaged in a systematic endeavour to reduce and eventually to eliminate the risks of terror warfare with chemical and biological weapons. A first step was our recommendation in 1968 that the Secretary-General should undertake a study of chemical and bacteriological (biological) weapons and the effects of their possible use.[2] The next major step has been the publication of the excellent report by the Secretary-General,[3] an achievement which thus might partly be credited to this Committee.

68. In his foreword to that report the Secretary-General has outlined what the next stages should be. He admirably summarizes the conclusions which can be drawn from the experts' report and bases on them three important policy recommendations.

69. The first of those recommendations calls for renewal of the appeal to all States to accede to the Geneva Protocol of 1925.[4] A formulation of that appeal inviting proper action by the General Assembly should, we had expected, be one of the results which this Committee would state in its final report, and today we have received a definite proposal to that effect from the Canadian delegation, a proposal which the Swedish delegation heartily endorses.[5] The third of the Secretary-General's recommendations,[6] calling for further disarmament measures in this field, should be another recommendation of this Committee to the General Assembly. The United Kingdom delegation, through its initiative in submitting a draft convention on biological warfare, has offered a valuable partial solution, and the revisions introduced today [7] will be given careful study by my delegation. The Canadian proposal for United Nations action draws attention to the fact that

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[1] CCD/PV. 431, pp. 20–24.
[2] *Documents on Disarmament, 1968*, pp. 583–584.
[3] *Ante*, pp. 264–298.
[4] *Post*, pp. 764–765.
[5] *Ante*, pp. 430–431.
[6] *Ante*, p. 267.
[7] *Ante*, pp. 324–326, 433–434.

real disarmament in regard to chemical and biological weapons is one item that should be on the agenda of the Committee at its next session.

70. The whole sequence would be complete if the second of the Secretary-General's recommendations concerning a clear affirmation of the scope of the existing ban on the use of those weapons in war, also were to be covered in yet another recommendation for action.

71. In my intervention on 5 August of this year I indicated that my delegation was ready to co-operate with other delegations in submitting to the Committee a working paper on such a declaration, affirming as comprehensive the existing ban on chemical and biological methods of warfare.[8] Today my delegation, together with the delegations of the Argentine Republic, Brazil, Burma, Ethiopia, India, Mexico, the Kingdom of Morocco, Nigeria, Pakistan, the United Arab Republic and the Socialist Federal Republic of Yugoslavia, has the honour to submit a working paper of the kind envisaged. I am referring to document ENDC/265, which is now before the Committee.[9]

72. The reasons and purposes of a declaration along the lines contained in the working paper were explained at length in my previous statement. I can therefore limit my statement today to a few points.

73. Let me recall, in the first place, that by suggesting such a declaration we draw a sharp distinction between measures to prohibit the use and measures designed to prevent the production, stockpiling and dissemination of B and C methods of warfare. We look forward to further considerable work on the whole subject of elimination of these weapons, based *inter alia* on the United Kingdom draft convention.[10]

74. As we and other delegations have explained before, however, we believe it is unnecessary to introduce a new treaty instrument to cover also the aspect of prohibition against use. It has seemed to us more advisable to deal with that aspect through a solemn declaration. The need and purpose are not to legislate; the law is there. What is needed is to affirm and consolidate the existing law about non-use and to do that through collective action in the United Nations General Assembly, a step which we are convinced would serve the political purpose of facilitating universal adherence to the Geneva Protocol.[11]

75. If the law rested exclusively on the Geneva Protocol of 1925 it might perhaps have been argued that it would be for the parties to that Protocol to perform this task. As we all know, however, and as I had occasion to say in my earlier statement and as has been confirmed by so many other speakers, the ban on B and C methods of warfare is the outcome of a long process, involving many international instruments from the nineteenth century up to and including General Assembly resolutions in 1966 [12] and 1968.[13] The cumulative effect of all this and of the respect paid to it in actual practice is a rule of customary—I emphasize "customary"—international law. This view is

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[8] *Ante*, p. 395.
[9] *Ante*, pp. 435–436.
[10] *Ante*, pp. 431–433.
[11] *Post*, pp. 764–765.
[12] *Documents on Disarmament, 1966*, pp. 798–799.
[13] *Ibid., 1968*, pp. 793–795.

widely supported as indicated most recently in the statement made today by the representative of the United Arab Republic. To affirm and consolidate such a rule is a type of task proper for an organ like the General Assembly, and a task which it has performed before. The General Assembly also comprises practically all States which are parties to the Geneva Protocol.

76. Let me now briefly comment upon the text of the working paper.

77. The first preambular paragraph refers to that almost instinctive reaction of horror that has always been evoked in the minds of men by the use, or even the prospect of the use, of biological and chemical weapons. We believe, of course, that there are very solid rational reasons for the ban on B and C methods of warfare. Nevertheless, this spontaneous reaction of horror and of condemnation is, in our view, a human sign of health and a natural and sound starting point for the declaration.

78. The second preambular paragraph spells out the significant fact that the effects of B and C methods of warfare can often not be restricted to specific military targets. They are thereby likely to conflict with that fundamental rule concerning the conduct of warfare which requires belligerents to direct their actions against combatants and to refrain from actions against non-combatants. It is further generally recognized that any use of B and C methods of warfare entails the almost automatic risk of retaliation and thereby escalation. As I developed in my earlier intervention, this risk of escalation is conspicuous until we get an authoritative statement concerning the scope of the ban, different parties in a conflict perhaps otherwise interpreting the scope differently.

79. The third preambular paragraph recalls that there is a long chain of instruments which have banned some or all of these methods of warfare. Reference is also made to instruments which do not directly prohibit but seek to prevent the use of these methods of warfare. A case in point is Protocol III of 1954 to the Brussels Treaty of 1948, which stipulates in Article I, referring to the Federal Republic of Germany, that it shall not manufacture in its territory atomic, biological, and chemical weapons, and which defines—in an annex—a chemical weapon as:

> any equipment or apparatus expressly designed to use, for military purposes, the asphyxiating, toxic, irritant, paralysant, growth-regulating, anti-lubricating or catalysing properties of any chemical substance;

and a biological weapon as:

> any equipment or apparatus expressly designed to use, for military purposes, harmful insects or other living or dead organisms or their toxic products.[14]

80. The fourth preambular paragraph in the draft declaration notes the wide support that has been given to the Geneva Protocol through formal accessions and through declarations by States. It further points to the significant fact that the ban on B and C methods of warfare has commanded broad respect in the practice of States. It may be useful to keep in mind in this context that these weapons

[14] *American Foreign Policy, 1950–1955; Basic Documents*, vol. I, pp. 979–980.

were even not used throughout the difficult period of the Second World War.

81. The logical conclusion, and one that has much support in international law doctrine, is that the cumulated effect of the circumstances invoked is to create a customary rule of international law, valid *erga omnes*. There has been some difference of opinion voiced as to the scope of the existing ban. The weight of opinion and of reason, however, is that the existing rule comprehensively covers all methods of biological and chemical warfare. It is crucially important that this be authoritatively declared to avoid the risk of varying interpretations and, inherently, of retaliation and escalation. This is done in the fifth preambular paragraph and in the operative part of the working paper, where use is made of the modern and scientific definitions offered to us in the experts' report. As is made clear in that report, these definitions are intended to be comprehensive, thus covering also harassing agents, such as tear gas, and agents which act as herbicides. It has further seemed important to make it clear in the text that the ban concerns international armed conflicts and consequently does not apply to internal domestic riot control.

82. A declaration such as the one contemplated in the working paper would obviously be of greatest value if adopted by general consensus. As is stated in the last preambular paragraph, it would enable States to demonstrate their determination to refrain from the use of any biological or chemical methods of warfare—and that refers to all States, since all are potentially capable of producing such means of warfare.

83. Considering the evidence available concerning the complete prohibition of chemical and biological methods of warfare, considering the vital and rational reasons for such a complete ban and considering, lastly, the demand of world opinion for such a ban, it is not too much to hope that a consensus will emerge both in this Committee and in the wider community of the United Nations and that the declaration will be adopted.

Brazilian Working Paper Submitted to the Conference of the Committee on Disarmament: Implementation of a Treaty for the Non-armament of the Sea-Bed and Ocean Floor, September 1, 1969 [1]

1. Twice in the course of its intervention on the general aspects of item 3 of the Committee's Agenda and when specially commenting on the Soviet and American Treaty drafts,[2] the Brazilian Delegation stated its firm conviction that any normative convention for the non-armament of the sea-bed and the ocean-floor would be incomplete if it were not to include appropriate provisions for the solution of disputes and controversies arising from its implementation.[3]

[1] CCD/267, Sept. 1, 1969.
[2] *Ante*, pp. 112–113, 211–213.
[3] ENDS/PV. 413, pp. 4–8; ENDC/PV. 423, pp. 22–29.

2. The Government of Brazil is of the opinion that the implementation of a Treaty for the non-armament of the sea-bed and ocean-floor depends basically on two conditions:

(1) the clear and uncontroversial definition of the objects which are to be banned from the sea-bed and ocean-floor;
(2) the establishment of adequate control provisions which can provide to any Party to the Treaty firm assurances that all Parties are honouring their obligations and respecting rights recognized under International Law.

3. The present working-paper aims to attract the attention of the Committee to the necessity of examining the natural corollary of these conditions, namely, the formulation of suitable provisions for the settlement of disputes arising from the actual interpretation of a Treaty for the non-armament of the sea-bed and ocean-floor and specially from the operation of its norms of control.

4. The Government of Brazil is also convinced that the inclusion in the future Treaty of such provisions will considerably facilitate the very acceptance of any control mechanism by a substantial number of States.

5. It is possible to envisage a number of situations where disputes, controversies or conflicts of interpretation among Parties could arise. Some of them could comprise the following elements in several possible combinations:

(1) divergent interpretations concerning the nature or ultimate purpose of an installation placed or implanted on the sea-bed and ocean-floor;
(2) disputes stemming from the manner in which an operation, in any of the stages of the control system, is conducted, specially when involving inspection, access and consequently interference with installations or activities on the sea-bed and ocean-floor or with the security areas that can surround these installations;
(3) disputes related to control activities undertaken in waters superjacent to the continental shelf of any State Party to the Treaty or in its territorial waters when these have a width of more than 12 miles;
(4) conflicting contentions on the jurisdiction covering military or other installations on the sea-bed and ocean-floor and on the responsibility for the emplacement of military or other installations on this environment;
(5) disputes arising from the lack of co-operation among States Parties in endeavouring to resolve questions regarding the fulfillment of the provisions of the Treaty as a whole and specially the norms of control.

6. This list does not intend to cover all specific situations where a dispute may arise but it still provides, in the view of the Brazilian Delegation, an exemplification of the extent to which controversies may appear in the implementation of the Treaty.
7. When presenting this working-paper, the Brazilian Delegation remains fully aware of the fact that the Treaty under examination would become the first international instrument on arms control and

disarmament negotiated in the Committee on Disarmament to include provisions for the settlement of disputes. It is however necessary to point out that never before had the Committee prepared directly or participated in the preparation of a Treaty which comprehended foreign means of control in areas that are under the national jurisdiction of States. This is clearly the case of a Treaty for the non-armament of the sea-bed and ocean-floor since the continental shelf or even territorial waters of States Parties may come into the area where control operations may take place by national means of other States Parties.

8. The provisions for the settlement of disputes could conform with the usual processes such as mediation and eventual recourse to international instances such as the International Court of Justice. They could also specifically conform with the mechanisms of Chapter VI of the Charter of the United Nations. In such circumstances, the Security Council of the United Nations would be called to examine disputes on the basis of substantiated cases put to it by the States Parties involved in the dispute and take a resolution on it. It could also be envisaged a system according to which the Secretary-General of the United Nations could be asked, by the interested Party or Parties, to perform the task of setting up the adequate methods and adopting the necessary measures in order to expedite the verification of any complaint.

9. The Brazilian Delegation hopes that the present preliminary suggestions, which are put forward in a spirit of frank co-operation, shall be thoroughly and attentively examined by the Committee.

Resolution 1 (I) of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America: Status of Additional Protocol II of the Tlatelolco Treaty, September 5, 1969 [1]

The General Conference,

Having considered the Report of the Depositary Government on the Status of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco); [2]

Considering that the Treaty of Tlatelolco is the only international instrument now in force designed to ensure the total absence of nuclear weapons from an inhabited region of the Earth and is also the only instrument relating to disarmament measures which establishes an effective international system of control under its own permanent supervisory body;

Recalling that the General Assembly of the United Nations declared in its resolution 2286 (XXII) that the Treaty of Tlatelolco "constitutes an event of historic significance in the efforts to prevent the

[1] CCD/268, Sept. 15, 1969. For the Spanish text, see OPANAL/S/1, pp. 1–7.
[2] For the report, see OPANAL/2. The Tlatelolco treaty and additional protocols appear in *Documents on Disarmament, 1967*, pp. 69–83.

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proliferation of nuclear weapons and to promote international peace and security";[3]

Recalling further that the Conference of Non-Nuclear-Weapon States in its Resolution B expressed the conviction that, "for the maximum effectiveness of any treaty establishing a nuclear-weapon-free zone, co-operation of the nuclear-weapon States is necessary and that such co-operation should take the form of commitments likewise undertaken in a formal international instrument which is legally binding, such as a treaty, convention or protocol";[4]

Taking into account that, for reasons similar to those stated by the Conference of Non-Nuclear-Weapon States, the Preparatory Commission for the Denuclearization of Latin America (COPREDAL) approved additional Protocol II of the Treaty of Tlatelolco, which was opened for the signature of the nuclear-weapon States on 14 February 1967;

Noting that being Parties to the said Protocol involves for the nuclear-weapon States only the following obligations:

(a) To respect "the statute of denuclearization of Latin America in respect of warlike purposes, as defined, delimited and set forth" in the Treaty of Tlatelolco "in all its express aims and provisions";

(b) "Not to contribute in any way to the performance of acts involving the violation of the obligations of article 1 of the Treaty in the territories to which the Treaty applies . . . ";

(c) "Not to use or threaten to use nuclear-weapons against the Contracting Parties of the Treaty";

Convinced that such obligations are essentially nothing more than the application to a specific case of the general obligations undertaken in the United Nations Charter and which all Members of the said organization have solemnly promised to "fulfil in good faith", in Article 2 of the Charter itself;

Bearing in mind that the General Assembly of the United Nations in two of its resolutions—resolution 2286 (XXII) of 5 December 1967 and resolution 2456 B (XXIII) of 20 December 1968[5]—and the Conference of Non-Nuclear Weapon States, in one resolution—resolution B of 27 September 1968—have urged the Powers possessing nuclear weapons to sign and ratify Additional Protocol II of the Treaty of Tlatelolco as soon as possible;

Observing that, despite these appeals, despite the support which, as the nuclear Powers themselves have repeatedly proclaimed, should be given to any nuclear-weapon-free zone which may be established on the initiative of the States situated within the zone, and despite the fact that the Treaty of Tlatelolco is the only treaty which it has so far been possible to conclude for the establishment of such a zone comprising territories densely populated by man, Additional Protocol II, which has already been open for signature for more than two and a half years, has so far been signed by only two of the nuclear-weapon States and has not yet been ratified by any of them;

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[3] *Ibid.*, pp. 620–621.
[4] *Ibid., 1968*, pp. 672–674.
[5] For res. 2456 B (XXIII), see *ibid.*, p. 799.

Convinced that, if this situation is prolonged, it will be necessary for the General Assembly of the United Nations to consider, as it does each year in regard to the Declaration on the Granting of Independence to Colonial Countries [6] and as it did at its twenty-first session in regard to the Declaration of the Inadmissibility of Intervention,[7] the status of the implementation of its resolution 2456 B (XXIII) in which it reiterated with particular emphasis paragraph 4 of its resolution 2286 (XXII) and the relevant clauses of resolution B of the Conference of Non-Nuclear-Weapon States.

1. *Deplores* that not all the nuclear-weapon States have yet signed Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco);
2. *Urges* the nuclear-weapon States fully to comply with the appeals addressed to them by the General Assembly of the United Nations and by the Conference of Non-Nuclear Weapon States to the effect that they sign and ratify the said Protocol as soon as possible.
3. *Invites* the States Members of the Agency for the Prohibition of Nuclear Weapons in Latin America, in the event of Additional Protocol II not having been signed and ratified by all the nuclear-weapon States by 30 June 1970, to take joint action for the inclusion of the following subject: "Status of the implementation of resolution 2456 B (XXIII) on the signing and ratification of Additional Protocol II of the Treaty for the Prohibition of Nuclear Weapons in Latin America (Treaty of Tlatelolco)" in the agenda of the twenty-fifth session of the General Assembly of the United Nations;
4. *Requests* the President of the General Conference to communicate the text of this resolution to the Governments of the nuclear-weapon States.

Memorandum From the Federal Republic of Germany to Other Governments on Biological and Chemical Weapons, September 12, 1969 [1]

1. The expert report of the United Nations on B and C weapons presented on 1 July 1969 [2] has once again focused international attention on the dangers emanating from these mass annihilation weapons. An arrangement on treaty basis to check these dangers with a view to eliminating them once and for all has become one of the main subjects of the deliberations in the United Nations and of the Geneva Conference of the Disarmament Committee.

2. The Government of the Federal Republic of Germany shares the concern of the States who are anxious to consolidate peace and

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[6] *American Foreign Policy: Current Documents, 1960*, pp. 110–111.
[7] For the declaration, see *ibid., 1965*, pp. 190–192. It was reaffirmed by G.A. res. 2225 (XXI); General Assembly *Official Records: Twenty-first Session, Supplement No. 16* (A/6316), p. 16.
[1] *The Bulletin: A Weekly Survey of German Affairs* (Bonn), Sept. 16, 1969, p. 245.
[2] *Ante*, pp. 264–298.

enhance security. It participates actively in all efforts for disarmament and arms control to cover also biological and chemical weapons. It was at an early stage of the negotiations for checking the dangers of atomic weapons that it pointed out the potential effects of other means of mass annihilation, viz. of the B and C weapons, and emphasized the need for abolishing them.

3. The Federal Republic of Germany has itself made concrete contributions to the abolition of biological and chemical weapons. Germany is a signatory to the Geneva Protocol of 1925 banning the application of biological and chemical weapons in war.[3] In addition, the Federal Republic of Germany renounced the production of biological and chemical weapons as early as 23 October 1954 and has accepted pertinent multinational controls.

The German renunciation relates to production of the following weapons (Annex II, Parts II and III, to Protocol No. III on the Control of Armaments to the Brussels Treaty of 23 October 1954).[4]

Chemical Weapons

(a) A chemical weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, the asphyxiating, toxic, irritant, paralysant, growth-regulating, anti-lubricating or catalysing properties of any chemical substance.

(b) Subject to the provisions of paragraph (c), chemical substances, having such properties and capable of being used in the equipment or apparatus referred to in paragraph (a), shall be deemed to be included in this definition.

(c) Such apparatus and such quantities of the chemical substances as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from this definition.

Biological Weapons

(a) A biological weapon is defined as any equipment or apparatus expressly designed to use, for military purposes, harmful insects or other living or dead organisms, or their toxic products.

(b) Subject to the provisions of paragraph (c), insects, organisms and their toxic products of such nature and in such amounts as to make them capable of being used in the equipment or apparatus referred to in (a) shall be deemed to be included in this definition.

(c) Such equipment or apparatus and such quantities of the insects, organisms and their toxic products as are referred to in paragraphs (a) and (b) which do not exceed peaceful civilian requirements shall be deemed to be excluded from the definition of biological weapons.

4. The Federal Republic of Germany strictly adheres to the obligations it has assumed. It neither produces biological or chemical means of combat nor does it possess any biological or chemical weapons for use.

5. The Federal Government would welcome a similar, universally adopted renunciation to eliminate the dangers arising from biological and chemical weapons. This was stressed by the Federal Minister for Foreign Affairs, Willy Brandt, at the Conference of Non-Nuclear-Weapon States on 3 September 1968 in Geneva. The relevant passage of his speech reads as follows:

The Geneva Protocol of 1925 does not define chemical and bacteriological weapons. Should the problem of B and C weapons be discussed, they should be specifically determined.

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[3] *Post*, pp. 764–765.
[4] *American Foreign Policy, 1950–1955: Basic Documents*, vol. I, pp. 981–982.

In this respect the definitions laid down when Germany renounced production in 1954 could be of value. We offer our assistance and support for all efforts aiming—without discrimination—at effectively remodeling the prohibition of B and C weapons with the object of banishing man's fear of them.

6. An international treaty banning B and C weapons should comprehend the two mass annihilation weapons together, though where partial settlements can be attained as an initial step they should not be ruled out for the sole reason that an overall settlement is not yet within reach. The treaty should, however, provide for the closest possible connexion between the two weapons with a view to laying down a comprehensive ban on all mass annihilation weapons in a universal treaty as soon as possible.

Address by the Brazilian Foreign Minister (Magalhães Pinto) to the General Assembly [Extracts], September 18, 1969 [1]

. . . . . .

We are going through what is a clear and avowed cycle of power politics, which expresses itself not only in military force, but also through a whole range of pressures—political, economic, financial, commercial and technological.

This regrettable trend towards the unilateral resort to force has severely put to test the principles contained in article 2 of the San Francisco Charter, which has been covertly or overtly disrespected.

Notwithstanding progress in certain areas and a combined effort to reach understandings, which, for lack of a better name, we might call "agreements for survival", the confrontation between the two super-Powers has not yet given way to the desired phase of negotiation. The arms race continues unimpeded, unchecked and more foreboding than ever. The vertical proliferation of nuclear armaments tends to become more complex because of the development of more and more sophisticated weapons. The destructive power of these weapons now encompasses the whole environment which sustains human life, and may even lead to the elimination of all animal and vegetable life on our planet.

Meanwhile the term "disarmament" is gradually being superseded in the lexicon of the great Powers by the concept of "arms control". It is worthy of note that in Geneva the Disarmament Committee seems to have virtually abandoned its attempts to negotiate a treaty for general and complete disarmament, the final objective assigned to it eight years ago by the General Assembly [2] and by the very terms of the Zorin-Stevenson Agreement.[3] It might be said that the matter has been shelved as a utopian and unattainable objective. The shift in emphasis from the concept of "disarmament" to that of "limitation of armaments" means a step backwards politically far beyond the range and scope of a mere variation in semantics.

[1] A/PV. 1755 (prov.), pp. 3–5, 8–11.
[2] *Documents on Disarmament, 1961*, pp. 741–742.
[3] *Ibid.*, pp. 439–442.

Also in regard to disarmament, there is another element we cannot ignore. I refer to the question of chemical and bacteriological weapons. One needs only to peruse the conclusions of the Report of the Secretary-General dated 1 July 1969.[4] It constitutes an impressive and sobering document, depicting a strange and irrational world, which goes so far as to admit that the mobilization of germs, bacteria and viruses can be instrumental in handling frictions and dissensions among human beings.

It might not be inappropriate to recall in this connexion that, while a terrifying arsenal of weapons is being continually increased and refined, some scientists, encouraged by Governments and international agencies, insist upon trying to dramatize the dangers of the population explosion, drawing alarming generalizations, without regard for the specific situation of each country or region. It is my opinion that there is much more cause for alarm in a graver, more ominous problem—that of the possibility of the disappearance of man from the face of the earth. Brazil is determined to resist any pressure directed against its demographic growth. As far as we are concerned, life is entitled to take precedence over death.

. . . . . .

Here we feel bound to stress a point: no one can have any reasonable or valid objection to the super-Powers continuing their attempts to bring about a harmonization of their interests and responsibilities. The hopes for peace in the world rest on the assumption of a *détente* in the antagonism and rivalry between the two super-Powers.

Many times, in different forums, Brazil has insisted upon the need for a permanent understanding between the United States and the USSR in order to lay the groundwork for nuclear disarmament, or at least for a diplomatic process that would lessen the risks involved in the vertical proliferation of nuclear weapons. And, more than once in the debates held in the Security Council on the question of the Middle East, Brazil had the opportunity to stress and emphasize the special responsibilities of the major Powers, to which we have addressed an appeal—which has so far been ignored and unheeded—for a reduction or balance in the supply of armaments and war material to the parties in the dispute. In all these matters, agreement between the super-Powers is of the essence.

But such an agreement can contribute to a true and lasting peace and to the progress of mankind only if fully consistent with the principles and purposes of the Charter of the United Nations, which means that due attention should be paid to the legitimate rights and aspirations of the non-nuclear, non-developed countries. Unfortunately, we could allude to some questions in respect of which this has not occurred.

We could mention for instance, the bilateral talks which led to the conclusion of the Non-Proliferation Treaty.[5] We could mention the twenty-third session of the General Assembly when the nuclear-Powers opposed the establishment of an *ad hoc* committee to accompany and co-ordinate the implementation of the results and conclusions of the Conference of Non-Nuclear Weapon States, held in Geneva in August

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[4] *Ante*, pp. 264–298.
[5] *Documents on Disarmament, 1968*, pp. 461–465.

and September of 1968. We could also mention the fact that the super-Powers could not set a deadline for the resumption of the talks in the Eighteen-Nation Committee on Disarmament in order to consider, *inter alia*, the question of co-operation of States in the non-proliferation of nuclear weapons and the peaceful uses of nuclear energy, two inseparable aspects of the same fundamental problem. In this case, however, since the arguments then put forth have lost much of their validity and cogency, we are hopeful that the question may now receive adequate and constructive consideration.

Before leaving the question of disarmament, I wish to point out that this might be the appropriate opportunity to refer to the decision taken by the two Co-Chairmen of the Eighteen-Nation Committee on Disarmament to enlarge its membership. We do not wish to question the legality of the decision, nor have we any objection to the choice of the new members. On the contrary, we are gratified by the admission of the eight new members, including another Latin-American country, Argentina, which I am sure will be a valuable addition to the Committee. We do hold, however, that the procedure followed by the Co-Chairmen was politically ill-advised, since the normal method would have been to seize the General Assembly with the matter, since it was the Assembly which endorsed the Zorin-Stevenson agreement and which, since 1961, has annually assigned specific terms of reference to the Eighteen-Nation Committee on Disarmament.

On another important matter, the attitude of the major Powers would not appear to take into account the most legitimate aspirations of the international community. I am referring to the problem of the peaceful uses of the sea-bed and the ocean floor. As far as the developing countries are concerned, this area constitutes the common heritage of mankind and, as such, cannot be the object of claims of sovereignty or of appropriation. It must be regulated and administered by the members of the international community, which should be entitled to share in the benefits obtained from the exploration and exploitation of the resources of the sea-bed.

It is equally indispensable that the sea-bed and the ocean floor be reserved exclusively for peaceful purposes, preventing an arms race from developing in the area, to the prejudice not only of the exploitation of the sea-bed resources but also of the traditional activities on the high seas, such as navigation and fishing. It is difficult to accept the position taken by the great Powers, or by the technologically advanced countries, in favour of a *laissez-faire* regime of unqualified and indiscriminate freedom. Such a regime would be potentially anarchical and dangerous and would result, above all, in widening the gap which already prevails between those who possess an advanced technology and those who are striving to develop one.

We should then see a small number of nations with full access to the riches of the marine environment, enjoying all its advantages, while the majority of nations would helplessly witness the utilization, by that privileged minority, of resources which belong to all.

All these positions add up to an open rejection of the commitments undertaken in other organs of the United Nations, and the over-all philosophy of our Organization, aimed at narrowing down the economic disparities among nations. Let us hope that an objective examination of the problem will bring about fair reasonable solutions.

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Address by President Nixon to the General Assembly [Extract], September 18, 1969 [1]

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In addition to our talks on the Middle East, we hope soon to begin talks with the Soviet Union on the limitation of strategic arms. There is no more important task before us.

The date we proposed for the opening of talks has passed for lack of response. We remain ready to enter negotiations.

Since the United States first proposed strategic arms talks 3 years ago, the task of devising an effective agreement has become more difficult. The Soviet Union has been vigorously expanding its strategic forces; weapons themselves have become more sophisticated, more destructive. But as the difficulty of the talks increases, so, too, does their importance.

Though the issues are complex, we are prepared to deal with them seriously, concretely, and purposefully—and to make a determined effort not only to limit the buildup of strategic arms but to reverse it.

Meanwhile, I want to affirm our support for arms control proposals which we hope the Geneva conference will place before this Assembly with regard to the seabed and chemical and bacteriological weapons. We hope also that the Nuclear Nonproliferation Treaty [2] will soon enter into force.

We should be under no illusion, however, that arms control will itself bring peace. Wars are fought by soldiers, but they are declared by politicians. Peace also requires progress on those stubbornly persistent political questions—questions that are considered in this room—questions that still divide the world. And it requires other exchanges, not only of words but of deeds, that can gradually weave a fabric of mutual trust among the nations and the peoples of the world.

We intend to conduct our negotiations with the Soviet Union soberly and seriously, neither encumbered by prejudice nor blinded by sentimentality, seeking to reach agreements rather than to make propaganda.

Whenever the leaders of Communist China choose to abandon their self-imposed isolation, we are ready to talk with them in the same frank and serious spirit.

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[1] *Department of State Bulletin*, Oct. 6, 1969, p. 300.
[2] *Documents on Disarmament, 1968*, pp. 461–465.

Soviet Draft Convention on the Prohibition of the Development, Production, and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of Such Weapons, September 19, 1969 [1]

The States Parties to this Convention,

Convinced of the immense importance and urgent necessity of eliminating from the arsenals of States such dangerous weapons of mass destruction as chemical and bacteriological (biological) weapons,

Guided by the desire to facilitate progress in the achievement of the objectives of general and complete disarmament,

Desiring to contribute to the strengthening of confidence between peoples and the general improvement of the international atmosphere,

Believing that scientific discoveries in the field of chemistry and bacteriology (biology) must in the interests of all mankind be used solely for peaceful purposes,

Recognizing the important significance of the Geneva Protocol of 17 June 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases and of Bacteriological Methods of Warfare,[2] an instrument which embodies generally recognized rules of international law,

Reaffirming their adherence to the purposes and principles of that Protocol and calling upon all States to comply strictly with them,

Recalling General Assembly resolutions 2162 B (XXI)[3] and 2454 A (XXIII)[4] which condemned all actions contrary to the Geneva Protocol of 17 June 1925,

Noting the conclusions contained in the report submitted to the United Nations General Assembly and the Disarmament Committee on the grave consequences for mankind that might result from the use of chemical and bacteriological (biological) weapons,[5]

Expressing their desire to contribute to the implementation of the Purposes and Principles of the Charter of the United Nations,

Have agreed as follows:

Article 1

Each State Party to this Convention undertakes not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons.

Article 2

Each State Party to this Convention undertakes to destroy within a period . . . . .—observing all the necessary precautions—or to divert to peaceful uses all previously accumulated chemical and bacteriological (biological) weapons in its possession.

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[1] A/7655, Sept. 19, 1969. The draft convention was submitted to the G.A. by the U.S.S.R., Bulgaria, the Byelorussian S.S.R., Czechoslovakia, Hungary, Mongolia, Poland, Romania, and the Ukrainian S.S.R.

[2] *Post*, pp. 764–765.

[3] *Documents on Disarmament, 1966*, pp. 798–799.

[4] *Ibid., 1968*, pp. 793–795.

[5] *Ante*, pp. 264–298.

ARTICLE 3

Each State Party to the Convention undertakes not to assist, encourage or induce any particular State, group of States or international organizations to develop, produce or otherwise acquire and stockpile chemical and bacteriological (biological) weapons.

ARTICLE 4

Each State Party to the Convention shall be internationally responsible for compliance with its provisions by legal and physical persons exercising their activities in its territory, and also by its legal and physical persons outside its territory.

ARTICLE 5

Each State Party to the Convention undertakes to take as soon as possible, in accordance with its constitutional procedures, the necessary legislative and administrative measures to prohibit the development, production and stockpiling of chemical and bacteriological (biological) weapons and to destroy such weapons.

ARTICLE 6

The States Parties to the Convention undertake to consult one another and to co-operate in solving any problems which may arise in the application of the provisions of this Convention.

ARTICLE 7

1. This Convention shall be open for signature by all States. Any State which does not sign the Convention before it enters into force in accordance with paragraph 3 of this article may accede to it at any time.

2. This Convention shall be subject to ratification by States which have signed it. The instruments of ratification and instruments of accession shall be deposited with the Governments of ..... which are hereby designated the depositary Governments.

3. This Convention shall enter into force after the deposit of the ..... instrument of ratification by a Government, including the instruments of ratification of the Governments of States which are permanent members of the United Nations Security Council and of other Governments designated as depositaries of the Convention.

4. For States whose instruments of ratification or accession are deposited after the Convention enters into force, the Convention shall enter into force on the date on which their instruments of ratification or accession are deposited.

5. The depositary Governments shall promptly inform all States which have signed and acceded to this Convention of the date of each signature, the date on which each instrument of ratification or accession is deposited and the date on which the Convention enters into force, and shall transmit other notifications to them.

6. This Convention shall be registered by the depositary Governments in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 8

This Convention, of which the Russian, English, French, Spanish and Chinese texts are equally authentic, shall be deposited in the archives of the depositary Governments. Duly certified copies of the Convention shall be transmitted by the depositary Governments to the Governments of States which have signed the Convention and acceded to it.

In witness whereof, the undersigned, duly authorized thereto, have signed this Convention.

DONE in ..... copies at ....., this ..... day of ....., ...

Address by Foreign Minister Gromyko to the General Assembly [Extracts], September 19, 1969 [1]

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A political settlement in the Middle East that is fair to all the States in the area must be reached, and this is in the interests of all countries and peoples. The Soviet Union, together with many other States, resolutely advocates such a settlement. It pursues that line also within the framework of the international effort that has been made in recent months to give effect to the resolution of the Security Council, including the consultations between representatives of the four Powers, permanent members of the Council. We have submitted specific proposals for consideration by the participants in the exchange of views.

The United States side has referred to the question of limiting arms supplies to the Middle East as a measure designed to stabilize the situation. As the Soviet Government has already stated to the Government of the United States, a discussion of that question cannot serve any useful purpose as long as the Israeli troops occupy the territories of Arab countries.

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The security of the peoples depends to a great extent on success in the struggle for an end to the arms race and disarmament. It is true that efforts are still being made to set the one against the other, to provoke a controversy as to what should come first: whether disarmament should precede security or, vice versa, security should precede disarmament. But this is not a medieval scholastic controversy as to what came first, the chicken or the egg. It is an attempt to use diplomatic tightrope walking in order to make the solution of both security problems and disarmament problems more complicated.

The immutable fact is that measures to limit the arms race and take disarmament measures invariably strengthen international security while the strengthening of security, in its turn, facilitates progress in

[1] A/PV.1756 (prov.), pp. 46, 61–63.

disarmament. Suffice it to refer to the conclusion of the Moscow Treaty banning nuclear weapon tests in the atmosphere, in outer space, and under water,[2] and the Treaty on the Principles Governing the Activities of States in Outer Space,[3] as well as to the elaboration of such an important document as the Treaty on the Non-Proliferation of Nuclear Weapons.[4] Those are landmarks in restraining the arms race and, at the same time, in building a safer world.

From the point of view of the interests of peace it is important to ensure that the parties to the Non-Proliferation Treaty include the widest possible range of States, especially those that possess material and technical facilities for the creation of nuclear weapons or that can relatively easily reach that level. But so far only a beginning has been made in slowing down the arms race. Further and more resolute measures are required. They are dictated by the fact that the arms race has not been stopped—on the contrary, its spiral threatens to reach a new high. For some time now astronomical figures have been used in measuring not only the distances between stars but also the size of the military expenditures of States. Over $200 billion are incinerated each year in the furnace of war preparations. And just think of the dimensions in the forthcoming decade and of the impact this will have on the life of the peoples should the competition between missiles and anti-ballistic missiles instigated by certain forces in Western Powers be unleashed.

It is not the Soviet Union or the socialist States that bear responsibility for the beginning of the nuclear arms race a quarter of a century ago. Nor are we responsible for its continuation. On our part, proposals were constantly advanced for practical measures to stop that race, for disarmament measures going as far as general and complete disarmament. This line is being pursued by our country to this day. The Soviet Government, as is well known, has clarified on more than one occasion its position on so-called strategic armaments, and that position remains valid. We attach great importance to steps designed to restrain the strategic armaments race, although, according to our observations, the number of opponents of such steps has by no means decreased. If this strategic armaments race could be curbed, it would benefit not only those States which possess them, but also all the States of the world, since international security would be considerably strengthened.

Such measures as the termination of the production of nuclear weapons and the liquidation of all their stockpiles so that nuclear energy be used solely for peaceful purposes, the prohibition of underground tests of nuclear weapons, the creation of nuclear-free zones in various parts of the world, the prohibition of the use of the ocean floor for military purposes also brook no delay. It goes without saying that radical steps in the field of nuclear disarmament are possible only if they are carried out by all nuclear Powers, not by only some of them.

In present circumstances, when work is in progress in a number of countries to perfect and accumulate chemical and bacteriological—biological—weapons, the threat is emerging that mankind may sooner

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[2] *Documents on Disarmament, 1963*, pp. 291–293.
[3] *Ibid., 1967*, pp. 38–43.
[4] *Ibid., 1968*, pp. 461–465.

or later fall victim to a chemical-bacteriological war. This idea was emphatically voiced, in particular, by the most authoritative international experts who prepared the report of the United Nations Secretary-General on chemical and bacteriological—biological—weapons and the effects of their possible use.[5]

Guided by the desire to outlaw chemical and biological methods of warfare, the Soviet Union, together with the Polish People's Republic, the Mongolian People's Republic, the People's Republic of Bulgaria, the Socialist Republic of Romania and the Czechoslovak Socialist Republic, is submitting to the twenty-fourth session of the General Assembly of the United Nations an item on the conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological—biological—weapons and on their destruction and is presenting a draft of the appropriate international convention. We express the hope that that draft which has been circulated to all delegations will be considered with all due attention.[6] A General Assembly decision in favour of the proposed convention would constitute, in our opinion, an important contribution to the cause of peace and correspond to the interests of all mankind.

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Address by the Mexican Foreign Secretary (Carrillo Flores) to the General Assembly [Extract], September 24, 1969 [1]

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. . . About the middle of last year the process of disarmament seemed to have taken a promising turn. The Treaty on the non-proliferation of nuclear weapons was opened for signature.[2] That Treaty aimed not only at limiting the number of States possessing nuclear weapons, but, in its article VI, which was proposed by Mexico, also recognized the obligation of the present nuclear Powers that labour under the sad privilege of possessing such weapons to begin negotiations in the near future on the subject of nuclear disarmament. Almost at the same time, the Governments of the United States and the Soviet Union announced an agreement to hold conversations on the limitation and reduction of nuclear-weapon launching systems.[3]

Unfortunately, more than a year after that, those plans have still not been translated into reality. Those conversations have not yet started, and partly as a consequence of that fact, negotiations on other aspects of nuclear disarmament are practically at a standstill. This perhaps explains why it is that fifteen months after it was opened for signature, only eighteen States have ratified the non-proliferation Treaty. The delay in the start of negotiations on nuclear disarmament

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[5] *Ante*, pp. 264–298.
[6] *Supra*.
[1] A/PV.1763 (prov.), pp. 6–16.
[2] *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ibid.*, p. 460.

can endanger the very existence of that Treaty. I say this on behalf of a country that has already ratified it.

We understand, of course, the grave problems and difficulties confronting the nuclear Powers in reaching agreement on measures for disarmament that can have a vital effect on their security, since we accept as a hard and unavoidable reality the fact that no measure that could disturb the balance that seems to exist at present can be considered as viable.

In line with this type of thinking, Mexico expressed its view on the urgent necessity for the principal nuclear Powers to start negotiations as soon as possible aiming at the eventual elimination of nuclear-weapon launching systems, and stressed the grave risks involved in allowing a historic opportunity to slip by, an opportunity that perhaps will never again return. We proposed, furthermore, that this General Assembly address an urgent appeal to the two parties concerned to undertake negotiations for a temporary moratorium, which could be renewed, on all tests and all utilization of new launching systems for nuclear weapons, both offensive and defensive, that are not yet operational. From this rostrum I now emphasize the extreme importance of having this body, the most broadly representative of the entire world community, urge a halt to those tests before it is too late.

With regard to underground nuclear tests, we consider that the problem is different today from what it was when the Treaty of Moscow was signed in 1963.[4] The techniques for distant detection and identification of underground explosions and seismic phenomena have advanced to such a degree that it no longer is necessary for an agreement to prohibit them to be based on a complicated system of international inspection. The studies and proposals of Sweden, Japan and Canada demonstrate that it may perhaps not be impossible to overcome the problem of on-site inspection, which has always prevented agreement. It is true that there still exists a possibility of confusing one phenomenon with the other when below a certain magnitude. But international relations cannot rest on absolute data, they must be based on genuine possibilities. Perfection has no place in the world of politics. The risks of discovery would be so great that we cannot suppose that one party to the Treaty would be foolhardy enough to violate it. We therefore believe that the time has come for the Disarmament Committee to intensify its efforts aimed at achieving an agreement prohibiting underground nuclear tests, which today give the main impulse to the arms race.

Throughout the world there is a justified clamour raised against chemical and biological weapons. The provisions of the Geneva Protocol of 1925 [5] do not suffice, for they merely prohibit the use of such weapons. As soon as possible there must be elaborated a treaty prohibiting the production and stockpiling of such weapons. At the same time, it seems urgent indeed that these countries which still have not done so should become parties to the Geneva Protocol. As far as the scope of that Protocol is concerned, we are in favour of its broadest possible interpretation.

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[4] *Ibid., 1963*, pp. 291–293.
[5] *Post*, pp. 764–765.

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The Government of the United Kingdom submitted a draft treaty condemning the production, stockpiling and use of biological weapons, but not including chemical weapons.[6] Two points of that treaty seem to us both valuable and useful: first, the ingenious system for control based upon a type of "complaint procedure" similar to that already adopted in the Treaty of Tlatelolco, applying in the case of suspicious events; and second, the fact that both projection and stockpiling are also included. Mexico hopes to see the Disarmament Committee, in the coming year, complete the preparation of a draft treaty forbidding the manufacture, stockpiling and use of both these types of weapons.

With regard to the prevention of an arms race in the sea-bed, we believe that this is one of the subjects in the agenda of the Disarmament Committee that is also ripe for a treaty. The negotiations which are at present being carried out in the Committee itself should, therefore, lead to the transmission to this Assembly of a draft which will allow the Members of the United Nations to pronounce themselves on this matter which, to a greater or lesser extent, has implications and importance for all. Regardless of the contents of such a draft we do believe it essential that it truly reflect the general view already expressed in the debates of the Assembly, namely, that the exploration and the use and exploitation of the sea-bed and ocean floor must be reserved exclusively for peaceful purposes.

Very recently the capital of my country witnessed an event that we are convinced will have historic significance in international efforts to achieve peace and disarmament. This year, between 2 and 9 September, there took place in Mexico the first session of the Organization for the Prohibition of Nuclear Weapons in Latin America (OPANAL). It was the culmination of almost five years of persevering efforts carried out together by all the States of Latin America. The objective is to ensure observance of the provisions of the Treaty of Tlatelolco[7] and compliance with its two fundamental aims, namely, to guarantee the total absence of nuclear weapons from the territories to which the Treaty applies and equitably to encourage and promote the peaceful use of the atom in the region. At the opening meeting we had the honour of having with us the Secretary-General, U Thant, who said something for which we are deeply grateful. He said that:

> . . . in a world where too often we see dark and ominous clouds, the Treaty of Tlateloco will stand as a beacon.[8]

The first of the objectives we seek in itself offers us a twofold advantage: to remove from the Latin American countries that are or may be parties to the Treaty the danger of becoming targets for nuclear attacks and to avoid the squandering in the production of nuclear weapons of the resources which we so deeply need in the light of the requirements of our countries.

We must stress the fact that the Treaty of Tlatelolco, which created the Organization for the Prohibition of Nuclear Weapons in Latin America was conceived to cover an entire sub-continent of more than

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[6] *Ante*, pp. 431–433.
[7] *Documents on Disarmament, 1967*, pp. 69 ff.
[8] OPANAL/PV.1 (prov.), p. 17.

20 million square kilometres, where more than 260 million human beings live. We feel that we should also stress the fact that what has already been achieved is truly impressive—the territories of the fourteen members of OPANAL, as the Organization is known by its initials in Spanish, where the Treaty is already in force covers more than 5.5 million square kilometres and a population of approximately 100 million.

But apart from trying to achieve the military denuclearization of Latin America, the Treaty is intended to encourage the peaceful uses of nuclear energy in order to speed up the economic and social development of the Latin American countries. We therefore hope that OPANAL will foment and promote international co-operation whereby the Latin American countries will be given wider access to nuclear technology and particularly to those aspects which are most in keeping with our needs.

Thus the people and the Governments that have struggled so hard and so constantly for success to crown this generous undertaking hope that now, in order to make our achievement more effective, the countries of the region that have not as yet done so will adhere to the Treaty. Basing ourselves on the very valuable opinions that we have received, we have reason to state that both because of the cost and because of the risks of contamination inherent in their use in the present stage of technology, a country which forswears the carrying out of nuclear tests for peaceful purposes by its own means will be sacrificing nothing in comparison with the true opportunities it will have for economic development. This is particularly so if we bear in mind the fact that the benefits to be derived from such explosions will be accessible to them through an appropriate international organ.

The parties to the Tlatelolco Treaty also hope that the nuclear Powers, heeding the appeals of this General Assembly, will make a valuable contribution by means of the signing and ratification of Additional Protocol II, under which they would respect the military denuclearization status of Latin America.

One of the basic features of our day, which is of specific interest to the small and middle-sized nations, is that there seems to be in operation a dissociation between local conflicts and a direct confrontation among the major Powers. That is something which must reassure us as men, but which at the same time forces us to recognize another fact, and that is that a *détente* and perhaps a final agreement among the nuclear Powers on disarmament will not necessarily mean that wars will not break out in the world. If the primary function of the United Nations, the very *raison d'être* for its creation and continued existence, is to defend peace, then it is equally indispensable that we deal with those measures which the Organization itself or its regional dependent bodies might adopt, so that the aggressiveness which modern studies have revealed as one of the instincts of mankind may be channelled through different paths and roads than those that lead to armed clashes. Therefore, I would repeat a thought which I voiced in the General Assembly in 1965, namely, the possibility of trying, particularly in regional frameworks, to carry out serious efforts in the examination of, and ultimately agreement upon, disarmament measures among the non-

nuclear Powers, the majority of which are developing countries.[9]

When the Heads of State of Latin America—to refer only to that region of the world of which Mexico is a part—met in Punta del Este in April 1967, they expressed their intention to limit military expenditures to the true requirements of national security, in accordance with the constitutional provisions of each country, and thus to avoid those expenditures which are not deemed indispensable to carry out specific missions of the armed forces and to meet international commitments which bind those Governments which have them—some countries, such as Mexico, have no such international commitments.[10]

The very painful conflict which engulfed the two sister Republics of El Salvador and Honduras taught us many things; but among those lessons was the urgent need to recognize the grave danger to peace—not of the world, but of some peoples—constituted by the fact that the competent organs of the international community have failed to make a greater effort to slow down the arms race among the small- and middle-sized nations.

While the international order is as it is today—in a primitive stage of creation, without a central body organizing it in many cases, and without coercive measures to be applied—it is inevitable that many countries of the world—Mexico being a fortunate exception, for obvious geopolitical reasons—will have to achieve a balance of power. Any realistic effort to slow down the arms race must accept that fact as a point of departure, and not try to overlook it. For this reason, even in Latin America, an area possessing so many historical similarities, it is indispensable that the problem be tackled, as our Presidents have already urged. Mexico considers that the most adequate way of doing so appears to be on the basis of sub-regional agreements through negotiations touching on specific situations, without claiming to give general answers which, though motivated by the most generous and noble purposes, are still not entirely feasible today.

Another lesson we draw from the painful conflict to which I am referring, one which we Mexicans deeply hope will never again break out, is that of the effectiveness of regional organizations when they can act without being impeded by the controversies separating the super-Powers, and when, moreover, as in the case of the Organization of American States, the only great Power member of it, the United States, allowed the Latin Americans themselves to seek the formulas for solution, yet offering to support them, within the limitations which the United States forthrightly and clearly outlined to us.

Finally, and without going into details that would not be in keeping with this debate, I would say that the Central American conflict underscored a series of problems which beset and afflict many other regions, and which in some cases tend to worsen: namely, over-population, the archaic structure of land tenure, the insufficiency of the machinery for safeguarding human rights, and one which we had not considered—that of the economic integration of a number of countries, the benefits of which are undeniable, in that such integration can create greater opportunity for industrial development on an adequate level.

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[9] General Assembly *Official Records: Twentieth Session, 1346th Plenary Meeting*, p. 9.

[10] *Department of State Bulletin*, May 8, 1967, p. 721.

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It can, however, also create grave tensions when, paradoxically, it exacerbates nationalistic feelings and tendencies, even among States which are part of the same community, as various Constitutions of the Central American countries proclaim.

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Address by Foreign Minister Schumann to the General Assembly [Extract], September 24, 1969 [1]

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However, whatever the efforts deployed in favour of peace, are they not condemned to remain incomplete and illusory as long as we have not tackled the most important and most difficult of world problems, that of disarmament? My country has for many years attempted to define its real conditions. It appears to us that the security of the world cannot and should not be confused with the fragile equilibrium between several States endowed with the atomic weapon: hence, disarmament cannot, in our view, be limited to certain partial measures whose sole effect is to strengthen the monopoly of the nuclear Powers. Nor can it be limited to bilateral agreements, which, however profitable for *détente* aim essentially at slowing down the growth of the armaments of already over-armed Powers.

The security of mankind—that is, the guarantee against any form of war and, first of all, quite obviously, against the worst form of annihilation, atomic war—depends on a set of strict conditions which explain the characteristics that we have long wished to give to the disarmament undertaking. We want this disarmament to be, first of all, applied to the Powers possessing nuclear weapons and we want it to lead, under strict and effective control, to the elimination of the means of delivery of these weapons, as well as their arsenals. We want this nuclear disarmament to be accompanied by a disarmament of conventional weapons, in such a way that no imbalance of forces may result from the completion of its successive stages. We want these measures of prohibition and control to extend to biological and chemical weapons, whose fearsome effects were recently described by the group of experts named by the Secretary-General of our Organization. France which, it should be remembered, is the depositary of the Geneva Protocol which prohibits this type of weapon,[2] would like to see this instrument receive a universal application. Lastly, we must also prevent the militarization of a new field open to human activity; that of the sea-bed and the ocean floor. Therein lie the characteristics of an authentic disarmament. To engage in this enterprise with the desire to complete it requires that the nuclear Powers, first of all, agree and co-operate, which implies an obstinate search for a lasting *détente*. France, in the forefront, wishes to reaffirm that it is ready for this commitment of cooperation and sincerity.

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[1] A/PV.1763 (prov.), pp. 32–35.
[2] *Post*, pp. 764–765.

Report by Secretary-General Thant on the Implementation of the Results of the Conference of Non-Nuclear-Weapon States, September 24, 1969 [1]

I. INTRODUCTION

1. The General Assembly, at its twenty-third session, considered, under item 96, the results of the Conference of Non-Nuclear-Weapon States, held at Geneva from 29 August to 28 September 1968. The General Assembly concluded its deliberations on this item by adopting resolution 2456 (XXIII) at the 1750th plenary meeting, on 20 December 1968.[2]

2. Fourteen resolutions and a Declaration had been adopted by the Conference.[3] Some of the resolutions dealt principally with various aspects of the disarmament and security questions, which have been the subject of bilateral and multilateral international negotiations including those at the Conference of the Committee on Disarmament, which submits reports annually to the General Assembly. This applies to resolution A of the Conference which reaffirms some general principles of international law embodied in the United Nations Charter, particularly in Article 2, paragraphs 1 and 4, and in Article 51; resolution B, dealing with the establishment of nuclear-weapon-free zones; resolution C, calling for several partial measures in the field of nuclear disarmament; resolution D, urging that the Union of Soviet Socialist Republics and the United States enter at an early date into bilateral discussions on the limitation of strategic nuclear weapon systems; and resolution L underlining the urgency of a universal and comprehensive solution of the problem of nuclear explosions for peaceful purposes in a way compatible with a comprehensive test ban treaty. In resolution N, the Conference requested the General Assembly, at its twenty-third session, to consider the best ways to implement its decisions.

3. Other resolutions, namely resolutions E, F, G, H, I, J, K and M devoted mostly to various aspects of the peaceful uses of nuclear energy, were related mainly to the activities of the United Nations and the International Atomic Energy Agency (IAEA) and, to a certain degree, to the activities of the specialized agencies and other international bodies. The reports submitted by IAEA and the respective specialized agencies, in response to the Secretary-General's request made in accordance with paragraph 6 of resolution 2456 A (XXIII) relate to those resolutions pertaining to particular aspects of the peaceful uses of nuclear energy (see sections II and III below). None of the international organizations, specialized agencies or international bodies concerned which were requested to submit information in accordance with this paragraph made any report or reference to the questions of disarmament or security.

4. In paragraph 6 of resolution 2456 A (XXIII), the General Assembly requested the Secretary-General "to submit a comprehen-

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[1] A/7677, Sept. 24, 1969.
[2] *Documents on Disarmament, 1968*, pp. 797–801.
[3] *Ibid.*, pp. 668–687.

sive report based on the information supplied by those concerned on the progress achieved in the implementation of the present resolution for consideration by the General Assembly at its twenty-fourth session".

5. In the other paragraphs of the resolution the General Assembly: (a) endorsed the Declaration of the Conference of Non-Nuclear-Weapon States and took note of the resolutions adopted by the Conference (paragraphs 1 and 2); (b) requested the Secretary-General to transmit the resolution and the Declaration to the Governments of States Members of the United Nations and members of the specialized agencies and of the IAEA, and to the international bodies concerned, for their careful consideration (paragraph 3); (c) invited the specialized agencies, the IAEA and other international bodies concerned to report to the Secretary-General on the action taken by them in connexion with the recommendations contained in the respective resolutions of the Conference, and in particular invited the International Bank for Reconstruction and Development, the United Nations Development Programme (UNDP) and IAEA to continue, in consultation with their member States, the study of the recommendations of resolution J of the Conference (paragraphs 4 and 5); (d) requested the Secretary-General to place on the provisional agenda of the twenty-fourth session of the General Assembly the question of implementation, taking into account the reports of the Conference of the Eighteen-Nation Committee on Disarmament and IAEA, of the results of the Conference, including the question of convening early in 1970 a meeting of the United Nations Disarmament Commission to consider disarmament and the related question of the security of nations; and the question of further international co-operation in the peaceful uses of nuclear energy with particular regard to the special needs and interests of the developing countries (paragraph 7); (e) requested the Secretary-General, in accordance with resolution G of the Conference, to appoint a group of experts to prepare a full report on possible contributions of nuclear technology to the economic and scientific advancement of the developing countries (paragraph 8); (f) endorsed the recommendation that the Secretary-General should draw the attention of the group of experts to the desirability of taking advantage of the experience of IAEA (paragraph 8); (g) requested the Secretary-General to transmit the report of the experts to the Governments of States Members of the United Nations, the specialized agencies and of IAEA in time to permit its consideration by the General Assembly at its twenty-fourth session (paragraph 10).

6. In accordance with paragraph 9 of the resolution, the Secretary-General appointed a group of experts to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries. The report was submitted to the Members of the General Assembly on 24 July 1969 (A/7568).

7. With regard to the implementation of paragraphs 3 to 6 of the resolution, the Secretary-General: (a) transmitted to the Governments of States Members of the United Nations and members of the specialized agencies and of IAEA the text of resolution 2456 A (XXIII) and a copy of the Final Document of the Conference of Non-Nuclear-Weapon States, containing the resolutions and the Dec-

laration of the Conference; and (b) addressed all the specialized agencies, IAEA and UNDP, transmitting to them the text of resolution 2456 A (XXIII) and the Final Document of the Conference of Non-Nuclear-Weapon States and drawing their attention to the relevant paragraphs of the resolution; and requested them to report on the action taken by them concerning the recommendations contained in the respective resolutions and to submit any information they might wish to furnish for inclusion in the report to be prepared under operative paragraph 6 of the resolution.

II. REPLY FROM THE INTERNATIONAL ATOMIC ENERGY AGENCY

8. The International Atomic Energy Agency submitted a report (see annex),[4] dealing with many questions discussed at the Conference of Non-Nuclear-Weapon States and covered by several resolutions adopted by the Conference. In transmitting the report on 17 July 1969, IAEA informed the Secretary-General that the document was a progress report which was also being brought to the attention of the Agency's General Conference to meet in September, that relevant action taken by the latter would be described in this year's annual report of the Agency to the General Assembly and that continuing action in the years ahead would be reported upon in subsequent annual reports. The report dealt primarily with the following problems:

(a) Finance for nuclear energy activities (Conference resolutions H and I). The IAEA presented information on two sources of financing of the nuclear energy activities, i.e., its regular programme of technical assistance under the Operational Budget and the United Nations Development Programme Technical Assistance (UNDP/TA) or Special Fund (UNDP/SF) components. This section of the IAEA report supplied a detailed analysis of results achieved so far and indicated the main problems confronting the IAEA and the UNDP in this field. The IAEA did not elaborate on the remaining sources of financing of nuclear energy activities mentioned in its report—the International Bank for Reconstruction and Development, bilateral governmental arrangements and private investment sources.

(b) Special fissionable materials (Conference resolutions H and J). In resolutions H and J, the Conference (a) recommended that IAEA study the most effective means of ensuring access to special fissionable materials on a commercial basis; and (b) requested IAEA to consider the establishment of a fund of special fissionable materials for the benefit of non-nuclear-weapon States and, in particular, of developing countries. In reply to this request, IAEA, in its report, informed the Secretary-General that the Director-General had included an item on the subject in the provisional agenda of the next session of the Agency's General Conference in September 1969. A summary of such action as the Conference might decide to take would be included in the Agency's annual report to the General Assembly.

(c) The use of nuclear explosives for peaceful purposes (Conference resolutions H and L). The IAEA report referred to steps taken by the Agency in this regard, both before and after the Conference of

[4] *Ante*, pp. 350–373.

Non-Nuclear-Weapon States. In particular, it mentioned the decision of the Board of Governors, adopted at its meeting in February 1969, to create a special *ad hoc* committee in which all States members of the Agency would have an opportunity to be represented and to present their views. The report further stated that the Board of Governors had also taken note of Conference resolution L, which stressed the need for international arrangements aimed at regulating and controlling all explosions for peaceful purposes compatible with a comprehensive test ban treaty. [5]

(d) Nuclear information (Conference resolution H). The report contained a detailed summary of the wide scope of services provided by the Agency. According to the report, the Agency's role in this field was that of a clearinghouse rather than that of a generator of new information. The Agency was providing an ever-increasing library service to the member States and their scientific institutions. Each year the Agency convenes about twelve major scientific meetings and from thirty to forty smaller meetings and organizes educational seminars, scientific panels, study groups and research co-ordination meetings. The useful opportunity for a comprehensive review of advances in nuclear science is provided by the major international conferences on the peaceful uses of atomic energy, organized by the Agency. So far, three such conferences had been organized, and the fourth, prepared by IAEA, would be held in 1971. Furthermore, the Agency was at present one of the largest scientific publishers in Europe. In 1970 IAEA would bring into operation a computer-based International Nuclear Information System. The activity of the Agency in the field of international exchange of scientific information had been substantially facilitated by the fact that virtually all scientific information was now being released as it was produced, and that most information of a technological character was no longer withheld for reasons of military secrecy.

(e) Training and research (Conference resolution M). The activity of the Agency in this field has been covered mainly by the fellowship programme started in 1958. Since that time, more than 3,300 scientists and technologists have been trained under regular or long-term fellowships awarded by the Agency. The Agency also offers special training facilities through the Centre for Theoretical Physics in Trieste. The topic of nuclear training was dealt with also in the report prepared by the group of experts (A/7568) appointed by the Secretary-General in conformity with paragraph 8 of resolution 2456 A (XXIII).

(f) Safeguards of IAEA (Conference resolutions E and F). The recommendation contained in resolution E that States should accept the Agency's safeguards system was addressed to States rather than to the Agency. Nevertheless, this implied considerable effort by the Agency, and according to the report of IAEA preparations in this

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[5] On the subject of peaceful nuclear explosions, a special report on the establishment, within the framework of IAEA, of an international service for nuclear explosions for peaceful purposes under appropriate international control (A/7678), is being submitted by the Secretary-General for the consideration by the General Assembly at its twenty-fourth session in accordance with resolution 2456 C (XXIII) [footnote in original].

respect were already being made. As regards the functioning of the safeguards system the Agency's report presented a thorough explanation of several aspects of this topic and depicted the procedures of periodic review of the system. One of the two divisions in the Department of Safeguards within the Agency's secretariat was devoted exclusively to research development on safeguards and started a full-scale systems analysis which would also draw upon systems analyses being made in member States. One of the objects of the Agency's safeguards research and development programme was to develop instrumentation that would enable it to concentrate on certain key points or to mechanize safeguards procedures to a greater extent. The safeguards system does allow for simpler procedures to be applied to fissionable materials in small quantities for use in scientific research. Facilities holding small quantities have not been inspected. Rules against industrial espionage were incorporated in safeguards agreements with member States. The report also mentioned the question of certain duplications in the application of various procedures with respect to safeguards, stressed the desirability that such duplications be avoided, recalling at the same time the difficulties which stood in the way of avoiding such duplications.

(g) Composition of the Board of Governors of IAEA (Conference resolutions H and K). The Agency's General Conference in September 1968 adopted a resolution in which it requested the Board of Governors to review article VI of the IAEA Statute, which laid down how the Board is to be constituted and function.[6] At the beginning of 1969 the Board decided to set up an *ad hoc* committee of the whole for the purpose of the review, inviting those members of the Agency not serving on the Board to be represented at its meetings. The committee submitted a report to the Board stating that changes in article VI of the Statute had become necessary, that many members were of the view that a modest increase in the Board's present size of twenty-five members was desirable, but that further study and negotiations would be needed in order to devise an amendment that could command the wide acceptance required to bring it into effect. The Board decided at its meeting in June to transmit the material as an interim report to the General Conference and to inform the Conference of its intention to continue its study with a view to proposing an amendment to the article as soon as it was able to do so.

III. REPLIES FROM THE SPECIALIZED AGENCIES

9. In his reply, the President of the International Bank for Reconstruction and Development informed the Secretary-General:

> I have raised with the Executive Directors of the Bank, who represent the Bank's member countries, the desirability of conferring on nuclear energy projects the special status implied by resolution J. The Executive Directors are mindful of the potential of nuclear energy, but believe that it would do a disservice to our member countries, and be a misallocation of development resources, were we to finance a nuclear energy project which did not appear to be both a priority project from the point of view of the economy of the country as a whole and also that the most economically advantageous of the various power alternatives

[6] For art. VI, see *American Foreign Policy: Current Documents, 1956*, pp. 919–920.

available to the country at the same time. Therefore, we believe that the criteria applicable to nuclear energy projects should be the same as those applicable to other kinds of projects coming to the Bank for financing. We are fully prepared to consider sympathetically requests for the financing of nuclear energy projects which, tested by those criteria, are found to be economically justified.

10. The Food and Agriculture Organization submitted a detailed report, dealing with the nuclear applications in the field of food and agriculture. It was prepared by the joint FAO/IAEA Division of Atomic Energy in Food and Agriculture, deals especially with the area of peaceful uses of nuclear energy and is closely related to the report prepared by the group of experts (A/7568) [7] appointed in conformity with paragraph 8 of resolution 2456 A (XXIII). The FAO report had been submitted for the consideration of the group, whose report deals, in paragraphs 136 to 159, with the topic of the uses of nuclear techniques in food and agriculture.

11. In response to the Secretary-General's letter, several specialized agencies, the General Agreement on Tariffs and Trade, the International Development Association, the International Finance Corporation, the International Labour Organization, the International Monetary Fund, the Universal Postal Union and the World Meteorological Organization replied that after having considered the text of the resolutions adopted by the Conference of the Non-Nuclear-Weapon States they felt that no action or comment was called for on their part. Some of them, however, submitted information on their activities to the group of experts appointed to prepare a report on possible contributions of nuclear technology to the economic and scientific advancement of the developing countries. The group of experts, in their report, acknowledged with gratitude the helpful co-operation of the specialized agencies concerned.

IV. CONCLUDING REMARKS

12. International co-operation in the application of nuclear technology has now, and will continue to have, an ever-growing significance. Above all, the records of the Agency have shown that it has overcome, with considerable success, many problems and obstacles connected with the expanding nature of international co-operation in different spheres of the peaceful uses of nuclear energy. However, with the accelerating progress in the manifold applications of nuclear energy and with the growing needs and demands on the part of a considerable number of States, many new problems arise.

13. In the interests of mankind, and particularly those of the developing countries, it is imperative that intensive efforts be made to explore the outstanding problems in order to find the best solution in the shortest possible time. The attention given to finding such a solution and the intellectual and material resources dedicated to that end by all the members of the international community and by the international organization and bodies concerned must be continuous and must increase proportionately to the growing importance and comprehensiveness of the problem. The most promising and possibly the only feasible way to solve complex problems of a political, economic, financial and technical nature is to be found in the max-

[7] *Ante*, pp. 256–263.

imum development of international co-operation and the fullest utilization of the international organizations, agencies and other bodies competent to deal with them. In this manner, all available forces for the most effective exploitation of the peaceful application of nuclear energy for the benefit of mankind can be mobilized for the most rapid progress.

Address by Premier Chou En-lai [Extract], September 30, 1969 [1]

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The present international situation is excellent. The revolutionary struggles of the people of various countries are vigorously developing and forcefully pounding at the reactionary rule of the imperialists and their lackeys. U.S. imperialism and social-imperialism are beset with difficulties both at home and abroad and are finding things tougher and tougher. In order to contend for spheres of influence and suppress the people of various countries, they chant peace while both of them are actually engaged in frenzied arms expansion and war preparations. They are stepping up their collusion in their attempt to form a ring of encirclement against China and carry out war threats against her. In order to cover up their ulterior motives, they slanderously counter-charge us with having so-called expansionist ambitions and even insinuate that we intend to launch a nuclear war.

From the very first day of the founding of the People's Republic of China, we have declared explicitly that we firmly stand for the safeguarding of world peace and oppose wars of aggression. Ours is a true socialist country and we will never commit aggression against others. We develop nuclear weapons solely for defence and for breaking the nuclear monopoly, and our ultimate aim is to eliminate nuclear weapons. But the peace we uphold is one based on principles, that is, peace based on the Five Principles of mutual respect for territorial integrity and sovereignty, mutual non-aggression, non-interference in each other's internal affairs, equality and mutual benefit, and peaceful coexistence. We will never barter away principles. Our great leader Chairman Mao said long ago: "We will not attack unless we are attacked; if we are attacked, we will certainly counter-attack." We must make full preparations against the war threats of U.S. imperialism and social-imperialism, including their nuclear war threats. If they should insist on imposing a war of aggression on us, we will firmly resist to the end until final victory.

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[1] *Peking Review*, Oct. 3, 1969, p. 18. The address was delivered at a reception on the eve of the 20th anniversary of the founding of the C.P.R.

Chinese Communist Communique on Underground Nuclear Test, October 4, 1969 [1]

At a time when hundreds of millions of armymen and civilians throughout China were warmly celebrating the glorious festive occasion of the twentieth anniversary of the founding of the great People's Republic of China, a new hydrogen bomb explosion was successfully conducted over the western region of the country on September 29, 1969; prior to this, on September 23, 1969, China successfully conducted her first underground nuclear test.

This is a great victory for invincible Mao Tsetung Thought! It is another fruitful result of the Great Proletarian Cultural Revolution! It is the result of the efforts by the Chinese workers, commanders and fighters of the People's Liberation Army, engineering and technical personnel and scientific workers engaged in the research, manufacture and testing of nuclear weapons and other personnel concerned who, under the leadership of the Central Committee of the Communist Party of China with Chairman Mao as its leader and Vice-Chairman Lin as its deputy leader, have actively responded to Chairman Mao's call, "Unite to win still greater victories," held aloft the great red banner of Marxism-Leninism-Mao Tsetung Thought, given prominence to proletarian politics, deepened the mass movement for the living study and application of Mao Tsetung Thought, carried out various fighting tasks set forth by the Ninth Party Congress, and "grasped revolution, promoted production and other work and preparedness against war."

These new achievements in China's development of nuclear weapons serve as another heavy blow at the nuclear monopoly by U.S. imperialism and social-imperialism; they are a great encouragement and support to the heroic Vietnamese people who are courageously carrying on the war against U.S. aggression and for national salvation, to the Laotian people who are fighting against the armed invasion by U.S. imperialism and the reactionaries of Thailand, to the Palestinian and other Arab people who are resisting the U.S. imperialist and Zionist aggression, and to the people of all countries who are fighting courageously for national independence and the people's liberation.

Our great leader Chairman Mao teaches us: "Heighten our vigilance, defend the motherland!" The conducting of necessary and limited nuclear tests and the development of nuclear weapons by China are entirely for the purpose of defence and for breaking the nuclear monopoly, with the ultimate aim of abolishing nuclear weapons. The Chinese Government has solemnly declared many times that at no time and in no circumstances will China be the first to use nuclear weapons. As in the past, the Chinese people and Government will continue to make common efforts and persevere in the struggle together with the revolutionary people of the world and the countries which uphold independence and cherish peace in striving to achieve the lofty aim of complete prohibition and thorough destruction of nuclear weapons.

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[1] Hsinhua despatch, Oct. 4, 1969; *Peking Review*, Oct. 3, 1969.

Joint American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, October 7, 1969 [1]

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the seabed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and the ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the seabed, the ocean floor and the subsoil thereof from the arms race, and determined to continue negotiations concerning further measures leading to this end,

Convinced that this Treaty constitutes a step towards a Treaty on General and Complete Disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone [2] any objects with nuclear weapons or any other types of weapons of mass destruction, as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The States Parties to this Treaty undertake not to assist, encourage or induce any State to commit actions prohibited by this Treaty and not to participate in any other way in such actions.

Article II

1. For the purpose of this Treaty the outer limit of the contiguous zone referred to in Article I shall be measured in accordance with the provisions of Section II of the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone and in accordance with international law.

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[1] CCD/269, Oct. 7, 1969.
[2] 15 UST 1606.

2. Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, or to the seabed and the ocean floor.

ARTICLE III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the States Parties to the Treaty shall have the right to verify the activities of other States Parties to the Treaty on the seabed and the ocean floor and in the subsoil thereof beyond the maximum contiguous zone, referred to in Article II, if these activities raise doubts concerning the fulfillment of the obligations assumed under this Treaty, without interfering with such activities or otherwise infringing rights recognized under international law, including the freedoms of the high seas.

2. The right of verification recognized by the States Parties in paragraph 1 of this Article may be exercised by any State Party using it own means or with the assistance of any other State Party.

3. The States Parties to the Treaty undertake to consult and to cooperate with a view to removing doubts concerning the fulfillment of the obligations assumed under this Treaty.

ARTICLE IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments must be approved by a majority of the votes of all the States Parties to the Treaty, including those of all the States Parties to this Treaty possessing nuclear weapons, and shall enter into force for each State Party to the Treaty accepting such amendments upon their acceptance by a majority of the States Parties to the Treaty, including the States which possess nuclear weapons and are Parties to this Treaty. Thereafter, the amendments shall enter into force for any other Party to the Treaty after it has accepted such amendments.

ARTICLE V

Each Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

ARTICLE VI

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.

2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the

Governments of ....., which are hereby designated the Depositary Governments.

3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.

4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty it shall enter into force on the date of the deposit of their instruments of ratification or accession.

5. The Depositary Governments shall forthwith notify the Governments of all States signatory and acceding to this Treaty of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.

6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

ARTICLE VII

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

In witness whereof the undersigned, being duly authorized thereto, have signed this Treaty.

Done in ..... at ..... this ..... day of ....

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Draft Sea-Bed Treaty, October 7, 1969 [1]

A draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, agreed between the Soviet Union and the United States, is submitted for the consideration of the Committee on Disarmament.[2]

4. The Soviet Union attaches great importance to the exclusion of extensive areas of the sea-bed and the ocean floor, which represent two-thirds of the surface of the terrestrial globe, from the sphere of the arms race. This task is becoming particularly urgent now that the practical exploration of the sea-bed is just beginning and the danger is arising that this new field of human endeavour will be used not in the interests of peace but for purposes of war and destruction.

5. As experience shows, it is much more difficult to stop an arms race where it is already being carried on than to prevent it from spreading to the environments which were previously inaccessible to

[1] CCD/PV. 440, pp. 5–8.
[2] *Supra.*

man but are gradually being opened up thanks to the achievements of science and technology. International practice bears witness to the feasibility and importance of carrying out measures to prevent an arms race in environments new to man, such as the Antarctic, which under the Treaty of 1959 [3] is used exclusively for peaceful purposes, or outer space, with regard to which a number of demilitarization measures were laid down in the Treaty of 1967.[4]

6. The Soviet Union, in its Memorandum of 1 July 1968 on some urgent measures for stopping the arms race and for disarmament, submitted for the consideration of States a proposal that the sea-bed and the ocean floor should be used exclusively for peaceful purposes.[5] In elaboration of this the Soviet Union submitted a draft treaty on 18 March of this year.[6]

7. The elaboration of the draft treaty on the sea-bed and the ocean floor which has been submitted to the Committee today was carried out in an atmosphere of fruitful discussion which showed that there is a general realization of the need to prevent an arms race from starting on the sea-bed and the ocean floor. The joint efforts made it possible to reach agreement on the document now submitted to the Committee.

8. I shall now dwell briefly on the most important provisions of the draft treaty which is before the Committee.

9. The main undertaking of the parties to the treaty is laid down in article I, which provides for the prohibition of the emplacement on the sea-bed and the ocean floor and in the subsoil thereof of any objects with nuclear weapons or any other types of weapons of mass destruction, as well as structures, launching installations, or any other facilities specifically designed for storing, testing or using such weapons.

10. Thus it is proposed to settle at this stage the most important part of the problem of the demilitarization of the sea-bed, namely to prohibit the emplacement there of the most dangerous types of weapons. At the same time the treaty emphasizes that it constitutes a step towards the exclusion of the sea-bed and the subsoil thereof from the arms race, and that the parties to the treaty will continue negotiations concerning further measures leading to this end. This approach to the question of the scope of the prohibition, which takes into account to the maximum extent the points of view of the participants in the negotiations, ensures the most speedy and, in existing conditions, the widest possible solution of the problem of demilitarizing the sea-bed.

11. From the very beginning of the negotiations the Soviet Union has based itself on the premise that the treaty should cover the whole area of the sea-bed and the ocean floor beyond a twelve-mile coastal zone. Account has also been taken of the fact that with a few exceptions coastal States have territorial waters within these limits. The draft treaty submitted today mentions precisely a zone with a twelve-mile width. It refers to the maximum contiguous zone provided for

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[3] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.
[4] *Ibid., 1967*, pp. 38–43.
[5] *Ibid., 1968*, pp. 469–470.
[6] *Ante*, pp. 112–113.

in the 1958 Geneva Convention,[7] the extent of which, under paragraph 2 of article 24 of that Convention, is precisely twelve nautical miles.

12. The principle for measuring the outer limit of the twelve-mile zone is clearly formulated in the text of the treaty, where it is proposed to be guided by the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone and by international law.

13. The draft treaty points out that none of its provisions shall be interpreted as supporting or prejudicing the position of States with respect to their rights or claims related to waters off their coasts or to the sea-bed and the ocean floor.

14. The provisions concerning a specific system of control are an important part of the treaty. They include the right of States parties to the treaty to verify the activities of other States parties on the sea-bed and the ocean floor and in the subsoil thereof beyond the twelve-mile zone, if these activities raise doubts concerning the fulfilment of the obligations assumed under this treaty, without interfering with such activities or otherwise infringing rights recognized under international law, including the freedoms of the high seas. Provision is also made for consultation and co-operation among parties to the treaty in order to remove doubts concerning the fulfilment of the obligations assumed under the treaty.

15. In elaborating the verification provisions the views of various delegations in this regard were taken into account. Thus many delegations expressed the wish that, for the purpose of the widest possible participation of States in the practical conduct of verification of the treaty provisions, the right should be provided to ask other parties to the treaty to extend assistance in this matter. That suggestion was adopted and is reflected accordingly in the text of the draft treaty.

16. The system of control provided for in the draft treaty will thus ensure effective verification of the implementation of the treaty, as well as equal rights for each State party to the treaty to participate in the exercise of control, without creating obstacles to unprohibited activities on the sea-bed and the ocean floor.

17. The articles of the treaty dealing with the procedure for submitting amendments, the right of withdrawal and other final clauses of the treaty have been drafted on the basis of the precedents already in existence which have received wide international recognition. In these articles use was made of the formulas of corresponding provisions of the non-proliferation Treaty,[8] the treaty banning nuclear-weapon tests in three environments,[9] the outer-space Treaty and other international instruments.

18. Permit me, in conclusion, to express the hope that the draft treaty on the prohibition of the emplacement on the sea-bed and the ocean floor of nuclear weapons and other weapons of mass destruction will receive the wide support and approval of the members of the Committee on Disarmament, so that it may be submitted in the near future to the current session of the United Nations General Assembly.

19. The conclusion of a treaty on the sea-bed will be another important contribution to the solution of the problem of narrowing the

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[7] 15 UST 1606.
[8] *Documents on Disarmament, 1968*, pp. 461–465.
[9] *Ibid., 1963*, pp. 291–293.

sphere of the arms race, above all of the nuclear arms race, and of restricting and finally stopping it altogether. The elaboration of this treaty is a graphic illustration of how the clause of the non-proliferation Treaty laying down the obligation to pursue negotiations on measures relating to cessation of the nuclear arms race is being carried out in practice. This new agreement will help towards the creation of more favourable conditions for the elaboration and implementation of further measures aimed at stopping the arms race and achieving disarmament. At the same time it is a necessary prerequisite for the development of international co-operation in exploring the sea-bed environment for peaceful purposes.

20. Allow me, Mr. Chairman, to associate myself with your words of welcome to the representative of Poland, Mr. Zybylski, who is among us again and is once more participating in the work of our Committee on Disarmament.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Draft Sea-Bed Treaty, October 7, 1969 [1]

21. It has been widely recognized during our work this year that the most promising item on our agenda, in terms of developing a concrete agreement, has been the question of preventing an extension of the arms race to the sea-bed. As my colleagues know, this question has been the subject of intensive discussions between the delegations of the Soviet Union and the United States; and I am pleased to be able to join the Soviet co-Chairman in reporting that our labours have proved fruitful. The product of our efforts has now been circulated in the form of a revised draft treaty to prohibit the emplacement of nuclear weapons or other types of weapons of mass destruction on the sea-bed and ocean floor or in the subsoil thereof.[2]

22. The draft treaty we are presenting today has been worked out by the Governments of the United States and the Soviet Union as a recommendation for discussion and negotiation in this Committee. My delegation hopes that the members of the Committee will soon be in a position to comment on the draft, having in mind the importance of timely submission of a broadly-agreed text to the current General Assembly. Naturally governments will wish to study its provisions with care, and we shall need to consider the possibility of changes in the text. In the near future I plan to make a statement on the considerations that have shaped the United States delegation's approach to certain suggestions that have already been put forward and on possible areas in which the draft might be improved.

23. I would now like to explain some of the provisions of the new draft treaty.

24. The first paragraph of article I would prohibit any party from emplanting or emplacing on the sea-bed, beyond the outer limits of the

[1] CCD/PV. 440, pp. 8–12.
[2] *Supra.*

contiguous zone, any objects with nuclear weapons or any other types of weapons of mass destruction. This prohibition, like the outer-space Treaty,[3] would thus cover in particular nuclear weapons and also any other weapons of mass destruction, such as chemical or biological weapons. This paragraph would also ban structures, launching installations, or any other facilities specifically designed for storing, testing or using such weapons. The treaty would therefore prohibit, *inter alia*, nuclear mines that were anchored to or emplaced on the sea-bed. The treaty would not, however, apply to facilities for research or for commercial exploitation not specifically designed for storing, testing or using weapons of mass destruction. On the other hand, facilities specifically designed for using nuclear weapons or weapons of mass destruction would not, because they could also use conventional weapons, be exempted from the prohibitions of this treaty.

25. Since this treaty is concerned with uses of the sea-bed, vehicles which can navigate in the water above the sea-bed and submarines should be viewed in the same way as any other ships; submarines would therefore not be violating the treaty if they were either anchored to, or resting on, the sea-bed.

26. I would also like to point out that this treaty would not impede peaceful uses of nuclear energy. The prohibitions of the treaty are not intended in any way to affect the conduct of peaceful nuclear explosions or to affect applications of nuclear reactors, scientific research, or other non-weapons applications of nuclear energy, consistent with other treaty obligations.

27. The second paragraph of article I is similar to provisions of the limited test-ban Treaty [4] and the non-proliferation Treaty,[5] and is intended to ensure that this treaty effectively accomplishes its purposes.

28. Let me now turn to article II of the new draft. The provisions of this article reflect my delegation's conviction that our effort to develop a sound measure for sea-bed arms control must be based squarely on existing international law. I believe we can all agree that a sea-bed arms-control agreement should not and cannot be an instrument to solve complex questions of the Law of the Sea, and that the prospects for broad acceptance of a treaty will be much greater if the treaty is fully in accord with the Law of the Sea. Otherwise we would run a severe risk of getting bogged down in extraneous questions relating to national jurisdiction and exploitation of the resources of the sea and of the sea-bed. If this were to happen it would be much more difficult, perhaps even impossible, for us to reach agreement on a practical arms-control measure.

29. Moreover, we believe that there is wide international agreement on the basic principles of the law of the Sea, particularly as those principles are spelt out in the 1958 Geneva Conventions. We have therefore taken the 1958 Convention on the Territorial Sea and the Contiguous Zone [6] as the basis for measuring the outer limit of the contiguous zone beyond which the prohibitions would apply.

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[3] *Documents on Disarmament, 1967*, pp. 38–43.
[4] *Ibid., 1963*, pp. 291–293.
[5] *Ibid., 1968*, pp. 461–465.
[6] 15 UST 1606.

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30. The method for measuring the band is covered in two provisions of the treaty. First, paragraph 1 of article I specifies that the prohibitions of the treaty would apply beyond the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone. As delegations are doubtless aware, article 24 of the 1958 Convention stipulates that the maximum zone is twelve miles. Second, paragraph 1 of article II specifies that the outer limit of the contiguous zone shall be measured in accordance with section II of the Convention on the Territorial Sea and the Contiguous Zone and with international law.

31. Finally, I would like to draw attention to paragraph 2 of article II. This clause provides that nothing in this treaty shall be interpreted as supporting or prejudicing the position of any party with respect to rights or claims which such State party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, or to the sea-bed and the ocean floor.

32. There has already been a good deal of discussion in the Committee concerning possible elements of a verification provision for the sea-bed treaty. We in the United States delegation have explained in plenary statements as well as in informal discussions the reasons that led us to conclude that the requirement for verification is dependent on the nature of the prohibition. Based on this conclusion, and in view of the difficulties of the sea-bed environment and the limitations of available technology, we believe that the right to verify set forth in article III would be appropriate for this treaty. This provision would ensure that parties would be able to check compliance with the treaty, taking into account both the rights and the obligations which they have under international law, including the freedom of the high seas. At the same time legitimate activities on the sea-bed would not be subject to interference. For example, the provision does not imply the right of access to sea-bed installations or any obligation to disclose activities on the sea-bed that are not contrary to the purposes of the treaty.

33. A number of delegations have made clear that they might wish to consider obtaining assistance from other States in carrying out verification. As provided in paragraph 2 of article III, the treaty recognizes that verification may be carried out by a party either by its own means or with the assistance of any other party, thereby facilitating participation by all parties regardless of their technological capabilities. The verification article also includes a commitment by the parties to consult and co-operate in order to clear up questions which might arise about fulfilment of the obligations of the treaty.

34. This completes my discussion of the principal substantive articles of the new draft treaty, but I would like to offer a few brief comments on some of the remaining administrative provisions on amendment, accession and the like.

35. First, the treaty contains an amendment provision which follows the precedent of the limited test-ban Treaty, in that it requires acceptance by a majority of all parties, including all nuclear-weapon parties, for entry into force of amendments.

36. Next, the first paragraph of article VI provides that the treaty shall be open for signature to all States. Such a provision would not,

of course, affect the recognition or status of an unrecognized régime or entity which might elect to file an instrument of accession to this treaty.

37. Finally, paragraph 3 of article VI provides that the treaty would enter into force after twenty-two countries had ratified, including the depositaries. This follows the precedent of the 1958 Geneva Law of the Sea Conventions, as was suggested by the Swedish delegation.

38. The tabling of a draft treaty today opens up an opportunity for establishing in the near future a meaningful restriction on the deployment of nuclear weapons, which as such would contribute to the security of all countries. At the present moment, the work of this Committee has entered a most important phase. What we do or fail to do can have wide consequences. We have the chance to work out a measure which will be an effective barrier to the spread of the nuclear arms race and which will facilitate the use of the sea-bed for peaceful purposes. The time is short, and we will have to work hard. But I am confident that we can again demonstrate the competence and dedication that have brought this Committee to its present position of leadership in the field of arms control.

Canadian Working Paper on Article III of Draft Sea-Bed Treaty, October 8, 1969 [1]

Procedures which should govern the "right to verify"

In order to promote the objectives and ensure compliance with the treaty, each of the parties to this treaty recognizes that other parties may, in pursuance of their existing rights, observe its activities on the sea-bed elsewhere than within the areas referred to in Article II provided that observance does not interfere with its activities nor otherwise infringe on rights recognized under international law including freedom of the high seas.

2. If a party is not satisfied that a particular activity of another party is compatible with the provisions of this treaty, the parties concerned shall consult and cooperate in an endeavour to resolve the issue.

3. If the procedures outlined in paragraph 2 do not resolve the issue, states parties to this treaty wishing to carry out further verification procedures shall give notice to the other state or states involved of their intention to request inspection. Parties recognize that such verification should not interfere with the activities in question.

4. Normally, if inspection is requested under these verification procedures, states would undertake to cooperate in facilitating inspection and granting such access as may be required. In the event of failure to cooperate, parties may have recourse to the Security Council which may request that such cooperation be provided under the procedures of this article.

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[1] CCD/270, Oct. 8, 1969. The draft treaty appears *ante*, pp. 473–475.

5. (a) In order to facilitate the carrying out of such verification on a nondiscriminatory basis by all states parties to this treaty, each state party to this treaty shall have the right to apply to another state party or to the Secretary-General of the United Nations for assistance by other states parties to the treaty in the carrying out of verification of the fulfilment of obligations assumed under this treaty.

(b) On receipt of such an application for assistance the Secretary-General of the United Nations shall make arrangements for appropriate verification measures to be carried out by a technically competent state or states party or parties to the treaty. The applying state or states shall have the right to nominate an official to accompany the technicians of the investigating state or states.

(c) The cost of the investigation shall be borne by the state or states making the application for assistance, if verification procedures do not provide evidence of a violation of the treaty. In the event that verification procedures provide evidence that the treaty has been violated, the cost of the investigation will be paid for through an agreed procedure administered by the Secretary-General of the United Nations.

6. (a) Except as provided for in sub-paragraph (c) of this paragraph, verification procedures shall not be carried out on the continental shelf of any state party or in its superjacent waters without due regard to the exclusive rights of coastal states under the 1958 Geneva Convention on the Continental Shelf and rights inherent in existing international law.

(b) Prior to initiating verification procedures on the continental shelf of any state party or in its superjacent waters, the state party proposing to initiate such procedures undertakes to notify the coastal state which shall manifest within a reasonable period of time whether it wishes to be associated with the verification.

(c) The provisions of this paragraph do not apply to the process of simple observation in the normal course of navigation or overflight and shall not be so implemented as to interfere with the freedom of the high seas.

7. Each state party to the treaty undertakes to extend its full cooperation in the implementation of the article.

8. At the review conference provided for in Article _____ consideration shall be given to whether any additional rights or procedures of verification should be established by amendment to this treaty.

Statement by the Canadian Representative (Ignatieff) to the Conference of the Committee on Disarmament: Draft Sea-Bed Treaty, October 9, 1969 [1]

2. First of all I should like to express the pleasure of the Canadian delegation at the return of our old friend and colleague, Mr. Kazimierz Zybylski, and to express our regrets that other ministerial duties have

[1] CCD/PV. 441, pp. 5–10.

necessitated the departure of another old friend, the Right Honourable Fred Mulley, whose contribution to the work of this Committee has been so outstanding and whose message of farewell to disarmament was read out at the last meeting.[2]

3. Today I should like to introduce a Canadian working paper, which has been distributed as document CCD/270.[3] This paper sets out specific proposals as to the procedures which we believe should be considered as a reasonable basis for the implementation of the "right to verify" in article III of the co-Chairmen's joint draft on the sea-bed, which was circulated at the last meeting as document CCD/269.[4]

4. In an earlier statement I referred to the need for all of us here to seek common purposes on each issue which came before us before freezing that agreement in treaty language. We are pleased that, with regard to arms control on the sea-bed, the co-Chairmen have apparently found this common ground, and indeed have gone on to produce an agreed draft treaty. Its tabling follows a long and obviously difficult period of negotiations, primarily between the two co-Chairmen. Their success in achieving agreement represents a vital step forward, which augurs well, I hope, for the eventual conclusion of an arms control treaty for the sea-bed and for progress on other issues before this Committee. It now falls to other members of the Committee to see how much common ground we can all find in examining the draft put before us by the co-Chairmen.

5. The scope and geographic limits of the treaty, which have been the main focus of attention on the part of the representatives of those Governments which at this time have the capability of emplacing the weapons to be prohibited if this agreement comes into effect, will obviously be the subjects of further debate both here and at the United Nations General Assembly. A matter of special concern to all other potential adherents to such a treaty, however, is the assurance that whatever may be agreed upon, both as to the categories of weapons to be prohibited and as to the geographic scope, will be complied with.

6. We believe that the verification procedures, to be generally acceptable as giving such an assurance, should be based on two criteria: first, they must, to the satisfaction of all signatories, detect any significant breaches of the treaty with a minimum of delay, providing in the last analysis incontrovertible evidence; and secondly, they must be in accord with and support the existing Law of the Sea as it affects the interests of coastal States.

7. From the draft presented to us by the co-Chairmen we know the engagements which their Governments are willing to accept in prohibiting the extension of the nuclear arms race to the sea-bed. What we want to know now is, what engagements are the two Powers willing to accept in relation to others, especially the many coastal States, that these engagements will be kept, and what procedures are they willing to agree to in the event that any State has reasonable concern that a threatening installation may have been observed on the sea-bed clearly within its jurisdiction as defined under the existing Law of the Sea?

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[2] CCD/PV. 440, p. 12.
[3] *Supra.*
[4] *Ante,* pp. 473–475.

In other words, what we want to know is just how the "right to verify" specified in article III of the co-Chairmen's draft is to be exercised.

8. It has been the view of some delegations that, if this treaty is to be truly multilateral in nature and to achieve widespread adherence, it must contain more than a verification clause adequate for a limited number of signatories, even if those signatories are the most important signatories. The Canadian delegation suggests that in order to meet the basic criteria to which I have referred, there are three important aspects of the verification problem which must receive more detailed treatment in any article which might ultimately be accepted by this Committee.

9. In the first place, there must be some mechanism to ensure that, in the final analysis, disputes regarding verification can be resolved once the concern of a State is engaged that the treaty is not being fully complied with.

10. There must also be provisions in the article which would guarantee the ability of all signatories to share in the verification procedures, either independently or in co-operation with other parties, so that signatories should not be at any unfair disadvantage owing to lack of the necessary technology or skill.

11. The other main concern is that there should be a clear restatement of the pertinent rights of coastal States under existing international law, so that these States may be assured that these rights are fully protected under the treaty now under negotiation. When the subject matter of such a treaty deals specifically with areas of vital interest to States expected to become parties, States are unlikely to accept wording which leaves these issues unclear, or which is claimed to provide protection by indirection. Broad acceptance can be achieved only by ensuring that the draft treaty is clearly fitted into the totality of the existing framework of international law. Viewed against these criteria, the provisions in the draft treaty submitted by the co-Chairmen require, in the view of the Canadian delegation, careful examination.

12. Bearing in mind these considerations, I should now like to turn to a very short explanation of the specific points in our working paper.

13. Paragraph 1, which seeks to impose on parties the obligation to recognize existing rights, is in keeping with the proposition that the relevant rights of States under international law should be re-stated and taken fully into account in this treaty. It also provides specifically for what is clearly the first step in the verification article of the joint draft co-sponsored by the co-Chairmen: the right to observe.

14. Paragraph 2 provides an outline of what would be the second step in a verification effort—the right of all parties to consult and an undertaking to co-operate in attempting to resolve difficulties which might arise.

15. Paragraph 3 is the point at which our proposal begins to go beyond the verification article put forward by the co-Chairmen. While the co-Chairmen have provided indirectly for observation and consultation, the phrase "right to verify" is open to several interpretations, some of which are not very reassuring.

16. It is our view that this concept of verification stops short of providing precisely how the concern of a State is to be adequately met

if the second step of bilateral consultation and co-operation fails. The procedure envisaged in our working paper is that the State or States controlling the installation or facilities in question will be given notice of the desire to carry out verification by inspection, without—I emphasize "without"—interfering with the activities involved.

17. Paragraph 4 would provide for ultimate recourse to the Security Council, if the necessary co-operation of such States were not forthcoming. It can be argued that parties already have the right, under the Charter, to raise such issues in the Security Council. But we believe that specific reference to this right will serve to provide assurance that complaining States retain the right of having recourse to the Security Council if the suspected non-compliance gives sufficiently serious concern.

18. It is also in this paragraph that the question of "access" is raised. Such access as an ultimate recourse must be provided, we believe, in order to ensure credibility for the whole verification process. We cannot emphasize too strongly, however, that this provision would be activated only as a last resort, should all other attempts to resolve the point at issue fail, and should be in accordance with the existing Law of the Sea. Otherwise, how can we speak of a credible "right to verify"?

19. In paragraph 5 an attempt is made to meet more fully the concern of the less technologically developed States that verification should be available to allay any doubts they might have about specific events. Sub-paragraph 5(a) provides for third-party assistance, either bilaterally—a provision whose inclusion in the co-Chairmen's draft the Canadian delegation welcomes—or through the good offices of the Secretary-General of the United Nations. Sub-paragraphs 5(b) and (c) set out suggestions regarding details of the procedures and obligations surrounding a request for assistance in carrying out necessary verification inspection processes, to be channelled through the Secretary-General.

20. In paragraph 6 we have sought to point up as fully as possible the rights of coastal States under international law, and particularly under the 1958 Geneva Convention on the Continental Shelf.[5] Through the provision for prior notification to coastal States regarding possible verification on their continental shelf and for their association in a manner acceptable to both parties in the actual verification, the treaty would ensure that the relevant rights of coastal States under international law could be fully protected.

21. Paragraph 7 of our paper is a routine, although important, clause under which all parties to the treaty undertake to co-operate to implement the article on verification.

22. Paragraph 8, which envisages inclusion of review provisions in the final treaty, confirms that the procedures of verification, which will obviously have to be altered in the light of experience and changing technology, should be one of the subjects of any such review conference.

23. In concluding, I would make the more general remark that modern technology, with its restless urge for constant innovation, is

[5] 15 UST 1606.

hardly consistent with such static concepts in the co-Chairmen's draft as the veto power on the right to amend the treaty and the lack of provision for review.

24. In submitting these proposals regarding verification, the Canadian delegation approaches the problem with no sense of finality or infallibility, still less of inflexibility. Francis Bacon wisely said: "If a man will begin with certainties, he shall end in doubts; but if he will be content to begin with doubts, he shall end in certainties." So with the contents of this paper: we seek to establish certainties only in respect of principles and of the law, allowing for flexibility as to the language and the means, until we are agreed on the objectives.

25. If the contents of our working paper on verification seem long in relation to the co-Chairmen's draft treaty, or excessively detailed, I would point out that the concept of the "right to verify" requires clarification in some detail, point by point, if the result is to be regarded as effective by the many governments which will wish to be assured about compliance with the terms of the treaty before they decide whether or not to sign it.

26. As to form, our working paper attempts a certain precision of language as an aid to further consultations because, as I am sure we are all agreed, the time for generalities is past and the time for negotiation is at hand. It is not an amendment at this stage, but rather a checklist of verification procedures directly related to the implementation of the right to verify contained in the co-Chairmen's draft treaty. Our working paper, therefore, which tries to clarify and define the procedures which would be open to the signatories of the treaty under the right to verify, should, I suggest, be examined by this Committee along with article III of the co-Chairmen's draft.

27. Our aim is to seek to strengthen the draft treaty by helping towards the broadest possible consensus. This would not only redound to the credit of this Committee as a negotiating body; it would also help to meet the concern of coastal States, which represent an important part of the international community.

Swedish Proposal Submitted to the Conference of the Committee on Disarmament: Additional Article for Draft Sea-Bed Treaty, October 16, 1969 [1]

Each of the Parties to the Treaty undertakes to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the seabed and the ocean flood and the subsoil thereof.

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[1] CCD/271, Oct. 16, 1969.

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Statement by the Swedish Representative (Edelstam) to the Conference of the Committee on Disarmament: Draft Sea-Bed Treaty, October 16, 1969 [1]

4. After a considerable period of inactivity the Committee is again seized of an important task, the negotiation of a treaty to prohibit the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed. My delegation wishes to join those who have congratulated the co-Chairmen on their achievement in presenting to us a joint draft treaty on this matter.[2] Although such an agreement cannot be a substitute for a major disarmament measure, the effective prevention of the emplacement of any nuclear installations on the sea-bed would be an act of forethought, thus representing an important achievement in the service of future generations. Every step which leads to the stemming of undesirable technological developments is in itself welcome.

5. Having sensed fairly long ago what an important medium for future developments the sea-bed is, the Swedish delegation is eager to take part in the discussion and negotiation in the Committee solicited by the co-Chairmen in presenting their draft and intended to lead to a "broadly-agreed" text—to borrow an expression used by the representative of the United States, Mr. Leonard [3]—to be submitted to the current session of the General Assembly.

6. I feel, however, that I should remind my colleagues at the outset that during the earlier discussions in the Committee on the sea-bed issue the vast majority of delegations opted for a more comprehensive formula involving the complete demilitarization of the sea-bed and the ocean floor, thus keeping this new field of human endeavour entirely reserved for peaceful purposes in the interest of all mankind. We are now faced, however, with a new situation. The super-Powers have reached an agreement confined in effect to the denuclearization of the sea-bed. As I said earlier, any agreement between the main Powers leading to a restriction, however limited, of the nuclear arms race is of importance and as such worthy of support by other countries.

7. However, a treaty on the denuclearization of the sea-bed is, *eo ipso*, of direct concern mainly to the nuclear-weapon States. It is not operatively dependent on the participation of the non-nuclear-weapon States. The one point of real interest to them also is that of verification. The ultimate position of non-nuclear-weapon States in regard to a denuclearization treaty may well come to be dependent on the control clauses in their final form and the possibilities these will offer for non-nuclear States to participate in the verification system and to obtain information as to the results of verification procedures. I shall return to this matter in detail in the latter part of this intervention.

8. I wish to deal first with the issue of the comprehensive demilitarization of the sea-bed. If it is not possible at this juncture to arrive at an agreement for such a wider and vastly more important measure,

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[1] CCD/PV, 443, pp. 5–10.
[2] *Ante*, pp. 473–475.
[3] *Ante*, p. 478.

there naturally arises a claim for some assurances in the present context as to further steps in that direction. The Swedish delegation has noticed, of course, that the joint draft treaty on the denuclearization of the sea-bed presented by the co-Chairmen contains in the third preambular paragraph a pledge by the parties to continue negotiations concerning further measures leading to "the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race . . .". We welcome this pledge as a sign of the determination of the main Powers to extend the prohibitions contained in the present draft to further areas of military uses of the sea-bed.

9. We deem it necessary, however, that a more decisive step be taken, and consequently propose that in the operative part of the treaty be included a similar commitment to continue negotiations in order to arrive at a more comprehensive prohibition of the use of the sea-bed for military purposes. The parallel with the situation in the non-proliferation Treaty is obvious. In that Treaty the preamble contains a declaration of intent of the parties "to achieve at the earliest possible date the cessation of the nuclear arms race and to undertake effective measures in the direction of nuclear disarmament." In addition there is the famous article VI, spelling out this declaration of intent in the form of an undertaking by the parties—

> . . . to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control.[4]

10. Our delegation considers that in a similar way the generally-worded declaration of intent in the preamble to the present draft treaty should be completed by an article in the treaty itself whereby the parties to the treaty undertake to continue negotiations on further measures relating to a more comprehensive prohibition of the use of the sea-bed for military purposes. The Swedish delegation has tried to formulate, after consultation with a number of other delegations, a draft article to this effect. I wish to refer my colleagues to document CCD/271, which is before the Committee and which contains possible wording for such an article. The text we are putting forward reads as follows:

> Each of the Parties to the Treaty undertakes to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the seabed and the ocean floor and the subsoil thereof.[5]

It might constitute a new article IV, in which case the present article IV would be numbered V, and so on. We have borrowed parts of the language from article VI of the non-proliferation Treaty, and parts from the just-mentioned third preambular paragraph in the present draft treaty. We are confident that this suggested strengthening of the commitment to continue negotiations will be generally acceptable.

11. I wish to stress that we are flexible as far as the actual wording is concerned. It is, however, important to avoid any possible misunderstanding as to the interpretation of what sort of disarmament meas-

[4] *Documents on Disarmament, 1968*, pp. 461–465.
[5] *Supra.*

ures should be envisaged. The term "arms race" used in the present third preambular paragraph is fairly regularly used nowadays to denote competition with additional armaments, and is not infrequently even reduced to new types of weapons. It should be unequivocally understood that what we must strive for in connexion with the sea-bed is ultimate disarmament extending to this new geographical area, even if for the time being we have to be content with a first step.

12. A note of warning seems, however, to be indicated. We know, alas, from experience that a partial treaty does not entail the conclusion of a comprehensive one. Worse, a partial treaty might be interpreted as legitimizing what is not explicitly forbidden. It is therefore urgent that we do not end our efforts with the present partial measure but prepare ourselves now for further negotiations towards a more comprehensive prohibition of the use of the sea-bed for military purposes. The past discussion in the Committee has undoubtedly revealed the widespread willingness of States to enter into such a far-reaching non-armament commitment. It should be duly noted that such a commitment would entail obligations also for non-nuclear-weapon States. Their adherence to such a treaty would considerably strengthen the prohibitions in the treaty at present under discussion, which, operatively speaking, is dependent on the actions only of the nuclear-weapon States. That is why a specific declaration of intent to continue these negotiations, to be inserted in the main body of the present treaty, is so important.

13. Other speakers have already expressed concern over what would seem to be an ambiguity, or at least some not very clear language, in the present article I. Its general meaning is certainly clear: a prohibition on the emplacement, beyond a zone of twelve nautical miles from the baselines used to establish the breadth of the territorial sea, of any objects with nuclear weapons or other types of weapons of mass destruction, as well as all structures intended for storing, testing or using such weapons. What is not entirely clear, however, is the situation inside the zone of twelve nautical miles in cases where the territorial sea of the coastal State is less wide than twelve miles. That ambiguity existed also in earlier draft treaty texts.

14. In a statement in the Committee on 24 July our delegation suggested that the coastal State should have the exclusive right to military uses of the sea-bed within the twelve-mile zone and also exclusive rights and obligations as far as verification of the treaty provisions within that zone was concerned.[6] We then had it in mind—and we continue to hold the view—that this exclusive right of the coastal State within the twelve-mile zone should be spelt out in the treaty text. There are after all a number of States, including my own, which claim territorial seas more limited than twelve nautical miles. We therefore hope that the text of the treaty can be amended in order to cover this point. This wish refers both to article I and to the verification article.

15. Turning now specifically to the verification provisions in the present draft treaty, viz. article III, we share the views already expressed by several representatives as to their clear insufficiency. The

[6] ENDC/PV.422, p. 16.

delegation of Canada has made an important attempt to remedy this situation by presenting its working paper on article III (CCD/270).[7] The representative of Canada, Mr. Ignatieff, when introducing the working paper, pointed out that it was not an amendment at this stage but rather—

> . . . a checklist of verification procedures directly related to the implementation of the right to verify contained in the co-Chairmen's draft treaty.[8]

Seen in that light, the Canadian paper is most valuable and should give us all food for thought and for further constructive negotiations.

16. I stressed at the beginning of this statement the importance of a credible verification system for the acceptance by the vast majority of States of a denuclearization treaty. Mr. Ignatieff very eloquently listed some basic criteria on which such generally-acceptable verification provisions should be based: the inclusion of some mechanism for solving disputes regarding verification; some guarantees that all parties can in effect share in the verification process; and assurances as to the protection of the special interests and rights of the coastal State.

17. The present article III does not, in the opinion of the Swedish delegation, entirely cover those basic criteria, nor does it provide sufficient clarity as to the meaning of the word "verification" as used. However, it should surely not prove to be beyond the ability of the members of this Committee to arrive at a solution in treaty language acceptable to all. My delegation is ready to take part during the coming days in joint attempts to arrive at such a solution.

18. This brings me to my last point for today, that of timing. The time available to us is indeed limited. The First Committee of the General Assembly, to which disarmament matters belong, has started its work. For its forthcoming debate on disarmament that body is, *inter alia*, dependent on the report of our Committee. Surely we cannot let the United Nations wait too long for that report. But there is another aspect. The First Committee of the General Assembly is also seized of the matter of the sea-bed as a whole and intends, I understand, to start its debate on that issue very shortly. Clearly the questions of military and non-military activities on the sea-bed are closely interrelated. Last year already the Swedish delegation expressed in the General Assembly the view that there should be joint consideration of what obligations should be undertaken by States to prohibit military uses and what opportunities should be kept open for the international community to develop jointly the resources of the sea-bed.

19. Those are parts of a general problem. The representative of the Soviet Union, Mr. Roshchin, expressed this interrelationship when he said that the present draft treaty was—

> . . . a necessary prerequisite for the development of international co-operation in exploring the sea-bed environment for peaceful purposes.[9]

We hold that the opposite is also true. A speedy conclusion of our labours here, transferring the deliberations to the United Nations, would constitute, I think, the best omen for a meaningful debate in

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[7] *Ante*, pp. 481–482.
[8] *Ante*, p. 486.
[9] *Ante*, p. 478.

New York on the subject of the peaceful exploration and use of the sea-bed for the benefit of all mankind.

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament, October 16, 1969 [1]

I should like first to join other members of the Committee in extending our congratulations to Mr. Roshchin and the Soviet Union on the successful launching and flight of the three space-ships Soyuz 6, 7 and 8. These seven brave men now orbiting the earth have our sincere wishes for a safe return. I am sure that their exploits will represent a substantial contribution of great importance to all mankind to the peaceful exploration of outer space.

56. I should also like to join the other members of the Committee who have welcomed the new leader of the Polish delegation, Mr. Kazimierz Zybylski, who is well known to many members for his past contributions. We look forward to his future contributions with great appreciation.

57. I should also like to extend a welcome in his absence to Lord Chalfont, the new leader of the United Kingdom delegation, who has unfortunately just been called back to his capital by urgent business. He also is a very old friend of many members of the Committee, and I count him already a very good new friend of the United States delegation. We certainly look forward very much to the contribution which we are sure his experience and capabilities will enable him to make to the work of this Committee. I have taken the liberty of providing Lord Chalfont with a copy of the remarks I am about to make, for his entertainment on the trip back to London.

58. I should like now to turn to the substantive question we have before us, the question of the sea-bed. In my statement on 7 October on the submission of the US–USSR draft sea-bed treaty,[2] I said that we should have to work hard in order to be able to submit a sound and broadly-agreed text to the current session of the General Assembly.[3] That applies equally to the co-Chairmen, who have the responsibility for explaining and clarifying the treaty provisions which they have put forward and the considerations that form the basis for the text. We have taken careful note of the comments of other delegations on the treaty text and wish to continue to receive any suggestions other delegations may have.

59. I should like today, in order to facilitate full understanding, to discuss the factors that underlie my delegation's approach, particularly as regards verification—the aspect of the treaty that has received the most attention so far. It is perfectly understandable that this matter should be carefully examined, since no responsible government could accept an arms limitation unless it was confident that the obligations

[1] CCD/PV.443, pp. 19–27.
[2] *Ante*, pp. 473–475.
[3] *Ante*, pp. 478–481.

of the agreement would be complied with by the other parties. Many delegations have commented on verification in our plenary meetings, and considerable informal discussion has also taken place. We have also had a detailed presentation on this subject in the form of a working paper submitted by the representative of Canada.[4]

60. As I understand the concerns that have been expressed, there seem to be three points of particular interest to a number of delegations. First, there is the concern that verification, to be adequate, requires a more complete inspection of sea-bed facilities. That concern is reflected in suggestions that there might be provisions in the treaty covering access into facilities. Second, there is a feeling that verification, to be effective in practice, requires that assistance be available; and that feeling is reflected in suggestions for arranging assistance through an international organization such as the United Nations. Third, there is a fear that verification, to protect the rights of coastal States, requires the establishment of explicit procedures, as reflected in suggestions for procedures for notification and the participation of a coastal State in verification activities in the vicinity of its continental shelf.

61. Let me address these points in order.

62. There has already been considerable discussion of the possible need for a right of access to facilities on the sea-bed. As Mr. Fisher pointed out in some detail in his statement on 22 May, the United States believes that a right of access, for the purpose of a nuclear measure, would be both impractical and unnecessary.[5]

63. Before we go further, however, I should like to explain that when the United States delegation refers to the right of access we mean the right to go into a facility or the right to open up a piece of equipment. When we say that such access is impractical and unnecessary, we are not referring to access in the sense of ability to go close to the object or facility in question. In other words, in one sense access would be permitted: that is, under the freedom of the high seas parties could have access—close access—to the area of a facility or an object, so long as there was no interference with the activities of the States concerned.

64. Without repeating our earlier statements, let me simply sketch out our reasons for the conclusion that access in the narrow, specific sense of physical intrusion into a sea-bed installation would be impractical and unnecessary. Such access into sea-bed installations would be difficult, hazardous and costly, and could be destructive of both property and human life owing to the high pressures in deep water around the object to be verified. Furthermore, the resources which might be available for this purpose are in very short supply.

65. Now those obstacles might have to be faced if it were absolutely necessary to have inspections of the interior of installations to assure compliance with the treaty which we have before us; but we are convinced that access into installations would be unnecessary for us, or for other nations, whatever the level of their knowledge of marine technology. We believe that sea-bed emplacements for nuclear weapons, on the scale required to be of significant military value, would be difficult to build without the knowledge of other countries. Emplacing such

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[4] *Ante*, pp. 481–482.
[5] *Ante*, pp. 216–217.

installations would involve a great deal of sophisticated equipment, it would involve unusual engineering activities and it would involve a highly visible support effort. In addition, the deploying country would obviously endeavour to enforce elaborate security systems to protect the vital military secrets which would be involved in such installations. All those activities would undoubtedly attract the attention of other maritime countries.

66. Even if one were to assume, for the sake of argument, that some facilities for the emplacement of weapons of mass destruction might be emplaced before the construction was discovered, the configuration and operation of facilities specifically designed for nuclear weapons or other weapons of mass destruction would be plainly observable and identifiable, without access into such facilities being required.

67. It has been asked how we can be so sure of our capability and the capability of others to check compliance with this treaty when we have insisted on much more elaborate provisions in other arms control measures. That question seems to imply that there should be virtually identical verification provisions for any measure, regardless of its nature. In contrast, the United States has always sought to establish verification procedures appropriate to the particular measure in question. In some instances it may be necessary to have certain types of on-site inspections; in other cases, as for example the ban on stationing nuclear weapons in outer space, access to objects is not required.

68. I hope we can all agree that it is following the path of progress for us to adopt a flexible, imaginative and creative view regarding procedures for verification. If a country were to refuse to accept verification procedures for one situation because in another situation other verification procedures might be necessary and appropriate, the opportunities for reaching agreement would be severely limited. I think it would be correct to say that this Committee has an interest in demonstrating its ability to fashion verification procedures uniquely tailored for the needs of each unique situation. That is the pragmatic way to achieve progress; and we ask the Committee's support for proceeding in this manner.

69. Returning now to the sea-bed, we believe that there is a wide range of possible actions which parties could take to verify compliance with this treaty, short of actual entry into installations. As we pointed out earlier, the vast majority of States have ships and planes that can and do constantly carry out surveillance of their coastal waters. Even more important, the activities of States on and over the high seas are not and will not be subject to the kind of restrictions that would apply in the case of inspections on the territory of another State. So long as the activity was not interfered with, States could observe the facility as often and as closely as the circumstances warranted. Photographs could be taken and data could be collected to evaluate the activity and to assist in the determination of whether the treaty had been violated. So long as they took place within the Treaty area and did not interfere with the activities of the States concerned, those procedures would be consistent with existing international law.

70. If it is suggested, as we have sometimes heard, that the 500-metre safety zone permitted under the Geneva Convention on the Continental Shelf [6] would preclude close examination of a particular installation, I would respond that it is highly unlikely that a potential violator of this treaty would announce the precise location of his violation by giving due notice of the installation and the safety zone, as provided in that Convention. Even if he were to do just that, observation—rather close and continuous observation—would still be possible and the nature of the activities being carried out at the installation could indicate whether further consultation was required.

71. May I turn now to another aspect of the verification question, the matter of assistance? It is an undisputed fact that there are differences among States regarding their respective levels of technology. This has led some to wonder whether there should be provisions in the treaty to establish arrangements which would enable less advanced States to obtain assistance in carrying out verification activities on the sea-bed. The United Nations has been mentioned as a possible source or channel for such assistance.

72. As in the case of the need for access, this is a legitimate question and deserves to be answered. We continue to believe that efforts to provide explicit procedures for assistance would be premature, in view of uncertainty about what is involved, and could also raise severe problems of resource allocation. The equipment and personnel for these specialized activities are in short supply, and detailed examination would be necessary by the States possessing them of any proposed treaty provisions governing their use.

73. The suggestion contained in paragraph 5(a) of the Canadian working paper is that States "shall have the right to apply to another state party" for assistance. The representative of Canada has pointed out that his paper does not propose treaty language,[7] and we think that this represents a helpful clarification at this stage. However, the language used in paragraph 5(a) points up the difficulties of the suggestion. We think that problem is now covered adequately and in a practical and workable manner as a result of the present language in paragraph 2 of article III of the draft treaty contained in document CCD/269.[8] This language clearly reflects the fact that parties may exercise their right of verification by their own means or with the assistance of other parties. If the proposed paragraph 5(a) means something more than that, it might imply obligations for the United States and other countries and, given the present state of technology and the varying political relations among the large number of countries that might become parties to the treaty, it would not be possible for us to accept such obligations.

74. There is another aspect of this question that deserves careful study. It may be thought that the United Nations should play a role in verification, since it is the organization charged with the responsibility for international peace and security. In fact, under the Charter of the United Nations there are already provisions for dealing with possible threats to peace. But I would urge caution in specifying in

[6] 499 UNTS 311.
[7] *Ante*, p. 486.
[8] *Ante*, pp. 473–475.

this treaty how the United Nations should be used or what the Secretary-General might do.

75. I believe it would be a mistake to try to turn the question of verification over to the United Nations. Instead, I believe that reliance should be placed on informal procedures for consultation and co-operation as already envisioned in the draft. States that have mutual interests in particular areas of the sea-bed would no doubt wish to work out appropriate arrangements. All this would take place within the framework of normal international relations.

76. In those very few cases where consultation and co-operation might not be sufficient, or where a party might have serious questions about the observance of the prohibitions, there are existing procedures for bringing such questions to the attention of the Security Council. These are set forth in the United Nations Charter, and the sea-bed treaty would certainly not change any party's rights or obligations under that Charter. In contrast to efforts to specify in the sea-bed treaty procedures for United Nations action, it might be more fruitful to consider ways in which existing United Nations procedures might apply. While my delegation would be opposed to efforts to include explicit provisions for United Nations participation in, for example, verification, it is ready to examine how the existing framework of international law, including the Charter of the United Nations, might be used to reinforce the provisions of the sea-bed treaty. I hope that those delegations concerned about verification assistance will comment on this approach.

77. The last of the three interests I mentioned earlier has to do with the rights of coastal States. Although the treaty clearly provides that verification would have to take place without infringing rights under international law, some delegations have expressed the view that procedures should be established to ensure that the coastal State's rights regarding its continental shelf are protected. The procedures which have been suggested involve notification and participation of a coastal State which is a party to the treaty in verification activities taking place on the continental shelf or in its superjacent waters. Since I believe we are agreed that this treaty should not prejudice any State's existing rights, it is proper that we should review the draft text to see whether this concern is fully met and, if not, whether new procedures should be formulated and negotiated.

78. After reviewing this question carefully, the United States continues to be convinced that new procedures need not and should not be developed. The draft treaty is written in such a way as to ensure that it would not infringe or otherwise interfere with existing rights or obligations under international law, except in so far as the parties would accept the new prohibitions of the treaty itself, such as not to emplace weapons of mass destruction beyond the contiguous zone. The provision for verification depends directly on international law and the exercise of the freedom of the high seas. As a practical matter, we are confident that parties would be able to verify effectively without in any way infringing the rights of coastal States regarding the continental shelf.

79. In contrast to this flexible and realistic provision, the proposal for notification and participation or association of the coastal State

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seems to us to be an unnecessary and undesirable restriction on the right of a party to verify the activities of others. If the proposed procedure for involving a coastal State is to have any meaning, it will require a corresponding power or authority to enforce the obligation. But it would not be immediately apparent whether a ship, sailing on the high seas, was engaged in activities completely unrelated to this treaty, or whether it was carrying on some form of verification for which permission would be needed. The coastal States, therefore, might feel authorized to attempt to exercise some form of control over the activities of any ship or submarine in the vicinity of its continental shelf. We would regard any such effort to be a serious infringement of the freedom of the high seas. It would also be inconsistent with the 1958 Geneva Convention on the Continental Shelf, which stipulates that the rights of the coastal State over the continental shelf do not affect the legal status of the superjacent waters as high seas, or that of the airspace above those waters, and that the coastal State's rights on the shelf are limited to exclusive rights of exploration and exploitation.

80. The problems of co-participation or association are not solved by the inclusion of a clause like that contained in paragraph 6(c) of the Canadian working paper. That paragraph states that the provisions for notice and association do not apply to the process of "simple observation" in the normal course of navigation or overflight. It is extremely difficult to visualize, and I believe it would in fact be even more difficult to establish, clear-cut dividing lines between "simple observation" and observation that might be described as not "simple" because something more than the naked eye, such as cameras, had been used. Would it cease to be "simple" because observation had taken place by some divers in the water who had not descended to the actual sea-bed, and so forth? Complexities of that sort should be avoided.

81. We hope that members of this Committee will ask themselves frankly whether we really need to establish procedures for "co-operation" or, to use the word in the Canadian paper, "association" to satisfy those concerns of coastal States that seem to lie behind the idea. We understand that coastal States which value highly their right to exploit the resources of their own continental shelves would not like to see the right of verification under the sea-bed treaty utilized somehow to prejudice their right to develop those resources. It seems to us improbable, however, that any country could in some fashion approach the continental shelf of another State and, under the guise of sea-bed arms control verification, exploit resources of the shelf without the knowledge of the coastal State.

82. Exploitation of resources in the sea-bed is a big and a difficult job. It takes equipment and men on a large scale. It cannot be done in an hour or two by a ghost ship in the night. These obvious realities should not be ignored in this Committee. On the other hand, if it were felt that the verification activities of another State under the sea-bed arms-control treaty were somehow being used as a cover to circumvent the coastal State's exclusive right of exploration and exploitation on the continental shelf, those activities could certainly be brought into question by the coastal State. On the basis of these realities, our conclusion is that special new procedures providing for "co-operation" or

"association" are simply not needed to protect the rights of the coastal State on the continental shelf. All of these considerations have convinced my delegation that an attempt to develop these procedures would seriously complicate the negotiation of this treaty and would be undesirable in any case. Such procedures would raise difficult and complex questions of the law of the sea. Furthermore, there would be important and adverse security implications, since the procedures would inevitably infringe the right to use the high seas freely.

83. At the same time, we should not simply dismiss the concern that lies behind all of these suggestions. We appreciate the interest of coastal States in ensuring that their rights are safeguarded. The United States, after all, has a very long coast and a large continental shelf. As has been pointed out, international law covers not only such things as the freedom of the high seas but also rights regarding the continental shelf. If, despite our previous efforts to avoid even the implication of prejudice to the positions of parties, there remains a strong feeling that this needs to be spelt out with somewhat greater attention to existing rights, then I believe that further consideration is warranted. Accordingly I hope that those delegations which are concerned about protecting the rights of coastal States will give some thought to how this might be done in ways which would not require restrictions on what for centuries has been accepted as part of the doctrine of freedom of the seas.

84. Before leaving the question of the rights of coastal States, I think it would be helpful to point out the interrelationship between the question of inspection with access, as suggested in paragraph 4 of the Canadian working paper, and the question of protecting the legitimate existing rights of coastal States on their own continental shelves. If access to facilities were to be provided under this treaty, then clearly there would be greater opportunity for somehow impeding or complicating activities of coastal States on their own continental shelves. Therefore we think that the interests of coastal States, which presumably want to minimize any possible risk of impeding the operation of their facilities on their own continental shelves, would best be served by simplifying, not complicating, possible procedures of verification.

85. In the course of the next few weeks this Committee will have a valuable opportunity to work out a meaningful nuclear arms limitation. This will require perseverance and the sincere co-operation of all delegations. It will require a realistic appreciation of each other's real concerns and needs. The United States delegation, for its part, is prepared to give careful and serious consideration to all suggestions that other delegations have made and may wish to make with respect to the draft treaty.

Chinese Communist Statement on Draft Sea-Bed Treaty, October 22, 1969 [1]

The U.S.-Soviet draft treaty on the so-called prohibition of the emplacement of nuclear weapons on the seabed and the ocean floor was

[1] *Peking Review*, Oct. 31, 1969, p. 30. The statement was broadcast by the Peking radio on Oct. 22.

trotted out jointly by the U.S. and Soviet representatives at the October 7 meeting of the 25-nation "disarmament" conference in Geneva.[2] This is a new step by the United States and the Soviet Union to speed up their collaboration and a new swindle to legalize their intensified efforts in carrying out the nuclear armament race on the seabed.

Ostensibly proclaiming "the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof," this draft treaty is an out-and-out fraud. In his explanation of this draft treaty at the meeting on October 7, U.S. representative James Leonard stressed that according to the draft treaty, submarines carrying nuclear weapons "should be viewed in the same way as any other ships; they would therefore not be violating the treaty." [3] It is common knowledge that the United States and the Soviet Union are now stepping up their efforts to build nuclear submarines in order to carry out nuclear blackmail. But the draft treaty stipulates that nuclear submarines should be exempted from prohibition. This is clear evidence that this draft treaty is aimed at providing a legal cover for the activities of the United States and the Soviet Union in sending their nuclear-armed submarines and fleets to act the tyrant everywhere and unscrupulously engage in nuclear threat against other countries.

In working out the draft treaty, U.S. imperialism has persistently held that there should be no restriction on the emplacement of so-called "conventional weapons" on the sea-bed. Explaining the draft treaty, the U.S. representative said that it "would in no way impede peaceful uses of nuclear energy" or "affect the conduct of peaceful nuclear explosions." This means that the United States and the Soviet Union will have a free hand in speeding up their arms expansion and war preparations on the seabed in the guise of "conventional weapons" and "peaceful uses of nuclear energy."

The joint U.S.-Soviet draft treaty also contains an article which specially stipulates that they "have the right to verify" the activities of other states on the seabed. This is an attempt to legalize their increased activities in collecting seabed information and to use this treaty to build up their seabed hegemony and set up military installations there.

This new draft treaty was concocted by the United States and the Soviet Union after more than one year of behind-the-scenes bargaining following their manipulation of the U.N. General Assembly to adopt the so-called "nuclear non-proliferation treaty" in June 1968.[4] This new draft treaty is designed to further realize their scheme of maintaining nuclear monopoly and deceive and benumb the people of the world. It is crystal clear that the draft treaty is nothing but a new plot engineered by U.S. imperialism and social-imperialism in a vain effort to establish their domination over the seabed and accelerate their nuclear arms expansion and war preparations there.

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[2] *Ante*, pp. 473–475.
[3] *Ante*, p. 479.
[4] *Documents on Disarmament, 1968*, pp. 461–465.

White House Announcement on Strategic Arms Limitation Talks, October 25, 1969 [1]

Confirming the agreement reached earlier to enter into negotiation on curbing the strategic armaments race,[2] the Governments of the United States and USSR have agreed that specially designated representatives of the United States and the Soviet Union will meet in Helsinki on November 17, 1969 for preliminary discussion of the questions involved.

News Conference Remarks by Secretary of State Rogers: Strategic Arms Limitation Talks With the Soviet Union, October 25, 1969 [1]

Secretary Rogers: Ladies and gentlemen, I thought that it might be helpful to get together with you in view of the announcement that was made in the White House at 11 o'clock,[2] because I thought you might have some questions on this subject. I will do my best to give you the information that you would like to have.

Q. Mr. Secretary, could you amplify a little bit on what will be treated at the preliminary discussions?

And secondly, will you tell us if there's a possibility that President Nixon and the Soviet Premier, Mr. Kosygin, might formally open the second phase of serious negotiations on the substantive issues?

A. On the second part of the question, I think the answer is no, there is no present intention of any procedure of that kind, and I don't believe that it will happen.

As far as the preliminary talks themselves are concerned, we expect that they will be exploratory in nature. The purpose of the preliminary talks is to have a free discussion about how the negotiations can be conducted.

Now, we are approaching these talks very seriously. Certainly it's as serious a matter as we have in our nation today, and I think that the Soviet Union's attitude is the same. Certainly they say that they are very serious about these talks.

So we want to discuss how we can best approach the talks in a serious, businesslike way that will be productive.

Q. Mr. Secretary.

A. Yes.

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[1] *Weekly Compilation of Presidential Documents*, Oct. 27, 1969, p. 1485.
[2] See *Documents on Disarmament, 1968*, p. 460.
[1] *Department of State Bulletin*, Nov. 10, 1969, pp. 389–394.
[2] *Supra.*

Q. These talks have been put off time and time again. What do you think is different now about this time? Why did the Russians agree now?

A. Well, I don't know—and I'm not sure that it would help any to speculate on the reason for the delay since June. They probably wonder why we delayed from the time our administration came into office until June—and we did it because we wanted to review the situation carefully.

I think that they probably have problems of one kind or another and they have now decided to have the talks.

Q. Mr. Secretary, on the question of MIRV [multiple independently targeted reentry vehicle], is it the intention of this Government to propose a freeze, a moratorium, or some other device to halt MIRV testing at the beginning of this conference so that substantive issues can be dealt with through a moratorium or a freeze?

A. Well, as President Nixon said in June, we are obviously considering the whole question of MIRV tests and possible moratorium on the tests; and that will be one of the subjects that will be considered when we start these talks.[3]

I think that it's a complex situation. Now that the talks are scheduled to start on the 17th, why, we will consider how we approach that subject.

We certainly don't intend to have any public discussion as we go along on each one of these issues. It's too serious a business. We're going to try as much as possible to conduct these negotiations in private.

Now, obviously, we'll keep our NATO allies informed of the progress, and we'll keep Congress informed. But as much as possible, we want to do this in private; and the Soviet Union indicates that that's their intention, too.

Q. Mr. Secretary, I don't understand what you mean by saying you don't intend to have a public discussion because the issues are too serious.

A. Well, I mean, at each step of the negotiation, obviously, we will have a discussion. Eventually the public will know. But while we are talking we think it's better to do it in a private session, and we would hope that with some exceptions they will be private sessions.

Do I make myself clear?

Q. Yes. But could I ask one more followup question?

A. But let me say on that point, Mr. Hightower, that as I said, we will keep Congress advised, and we will keep the appropriate committees fully advised of the general approach that our Government is taking. And we'll keep our allies advised.

But we don't want to have each one of these negotiating sessions a public session, because it's a very complex subject, and we think it's so serious that it should be conducted in a businesslike atmosphere. And when it's appropriate to advise the public, we will.

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[3] *Ante*, pp. 254–255.

Q. So you expect some public information to come out from time to time. But the negotiations, as such, are to be private.

A. That's correct.

Q. Yes. At what level do you plan to open the talks?

A. Well, we have our delegation, that we have already announced, that is prepared to go to Helsinki on the 17th. The chairman of that is Ambassador Gerard Smith, the Alternate Chairman is Philip Farley, there's Paul Nitze and General Allison, Llewellyn Thompson, and Dr. Harold Brown.

Q. Mr. Secretary, I'm not quite clear on whether there's going to be one meeting in Helsinki or a series of meetings in Helsinki that are ended by the ending of the preliminary talks—and then the beginning of the actual talks somewhere else? Or is it all going to run together?

A. Well, we can't predict it for certain. But I think it will run something like this:

We would expect that preliminary discussions in Helsinki will run for several days, maybe a few weeks, and at that time a decision will be made about a permanent site. And also, decisions will be made about how best to conduct the permanent negotiations—how many should attend, how many should be private, and whether there should be an agenda or not have an agenda—those things.

In other words, the purpose of the preliminary talks is to work it out so that we are not arguing about details and we get right down to the business of serious negotiations when we get to the permanent talks.

Q. Mr. Secretary, is there any thought on our part of proposing some sort of limitation on antiballistic missiles? Or does it appear that the decision of both governments to proceed with limited deployment precludes this?

A. Mr. Scali, we are not going to discuss in advance, and hopefully not while the negotiations are being conducted, specific proposals that we are going to make.

I think I should say that the negotiations will include both offensive and defensive strategic weapons. And as you know, under the nonproliferation treaty, we have an obligation to do that, and we are going to fulfill that obligation.

Chalmers.

Q. Could I clarify something—some of the answers you have given? You are going to Helsinki to have a preliminary meeting of a few days to a few weeks. Now, that is essentially to work out the techniques of how you have a longer range, more permanent meeting. Does that mean that in the preliminary meeting there will be no possibility of discussing a substantive question such as the freeze of MIRV while we're having the permanent meeting?

A. No.

Q. That could happen at the preliminary meeting?

A. Yes, yes. We are not going to exclude any subject from discussion at the preliminary meetings, and I don't want to be in any rigid position about how long these preliminary talks are going to last or how we're going to discuss it. Our attitude is quite flexible.

And I think the Soviet Union's attitude is the same.

We're serious about this, and we want to conduct the negotiations in a businesslike manner, and we hope that we can avoid long arguments about the agenda and which item will come first and whether there's a limitation on what we can talk about, and so forth.

If we can have a more reasonable, flexible approach to negotiations, and if we can talk back and forth, and do it with a serious intention in mind—then it's possible that these talks can be productive.

Q. Mr. Secretary, can you give us an idea at least what you anticipate what the general course of things is apt to be—whether you want to—whether you prefer to start with existing weapons systems and then proceed to—

A. No. I don't want to get involved in how we're going to do it—which we're going to take up first, and so forth.

SELECTION OF SITE FOR THE TALKS

Q. Mr. Secretary, I don't think that Helsinki was our original preference, as far as the site is concerned. Do you have another preference for the permanent site of the talks?

A. Well, I'm glad you raised that question, because there has been some misunderstanding about it. And let me tell you exactly how it developed:

In my discussions with Ambassador Dobrynin in June, I think it was June 11, I said that we were ready to have talks, and that we would be prepared to have talks within a month. And I listed these places as possible sites for the talks: Geneva, Vienna, and Helsinki.

Now, we did suggest Helsinki; and when Ambassador Dobrynin responded the other day, he selected Helsinki, and that was one of the places that we had suggested.

We have left open the question of the final site, and he was willing to do that, because there are some problems of communication and availability of space and other things. It's possible that some other site would be better.

We look with favor on Vienna, for example, but we are not excluding the possibility of Helsinki as the final site.

But the reason I mentioned it that fully is we didn't have any argument about the site. Helsinki was a site that we proposed. Later on, we indicated we thought maybe Vienna would be better for the reasons I mentioned, but we had no dispute about the site.

Q. Mr. Secretary, can you give us a more clear definition of the term "strategic arms"? Does this include, for example, land-based intermediate ballistic missiles?

A. No, I think I'll leave that to the negotiators. That's a subject that they will have to discuss when they get there.

Q. How does China's growing strategic power fit in, long range, with these negotiations with the Soviet Union? And the threat, presumably, to both countries?

A. Well, I don't think, at the moment, they are relevant. They haven't progressed far enough, and I think if we can work out something that is constructive from the standpoint of the two superpowers that we can deal with China's problem later on.

Keep in mind that the word that was used was "curbing" in this release—"limitation" or "curbing"—and even if we are successful at working out an agreement, both the Soviet Union and the United States are going to be way ahead of China for many years to come.

Q. Mr. Secretary, could you, for the benefit of the public, estimate how long you think these talks might take place?

A. No, I wouldn't want to do that. I try to resist doing that. I noticed the other day in "Meet the Press" I made a mistake and did indicate that I thought that the answer that the Soviets would give us would be within 2 or 3 months.

So far, I've been batting pretty well, and I'm not going to make any further predictions.

Q. Mr. Secretary, who do you expect will lead the Soviet delegation? And have you any indication, either from reading the Soviet press, or in any other way, what their attitude is toward things like a MIRV moratorium, or an ABM—

A. We do not know who is going to head their delegation. At one time it was thought that Mr. Kuznetsov would be the Chairman, but I think that he's in China now, in negotiations there, so we're not sure. And Ambassador Dobrynin did not tell me.

He did say that he thought their delegation probably would be about the same size as ours, five or six.

Q. What mechanism will be used for consulting the NATO allies? Will they be contacted individually or collectively?

A. Well, I think it depends, of course, upon what the consultation consists of.

I would think, generally speaking, we'll do it through the NATO organization in Brussels, but not necessarily. I don't want to be confined to that as a possibility.

In our discussions here, notification of our NATO allies that the talks were going to start, we notified the ambassadors in Washington.

Q. Mr. Secretary, there is bound to be speculation that the beginning of these talks may have a larger meaning. Do you think that this might be the beginning of an era of negotiations?

A. Well, let me see if I can answer your question: I think this is an important step that is consistent with the President's policy of an era of negotiation, and it could be a very important negotiation. It's possible it's one of the most important negotiations our country has been involved in. And certainly it could be one of the most important that we ever undertook with the Soviet Union.

On the other hand, we should not confuse the beginning of the talks with success of the talks necessarily—there is quite a difference. These talks could be abortive, they could be fruitless, or they could be highly successful in terms of mankind. And those things will be determined by the talks themselves.

So whereas we are pleased that the Soviet Union has agreed to have these talks—we think it is a good step—we also have to be quite conscious of the fact that the mere start of the talks themselves is not what counts. What counts is how successful they are.

Complex, Difficult Negotiations

Q. Mr. Secretary, if these talks are successful, could they lead to a form of nuclear parity between the United States and the Soviet Union?

A. Well, words like "parity" I think are apt to be confusing.

What we hope that we can do is negotiate an arms limitation agreement which will keep us in the same relative position that we are now—and which can be verified.

Now, in order to accomplish the first part of that formula, we have to be sure that the limitation agreement is mutually advantageous, that neither side gets an advantage because of the agreement.

Secondly, we have to be sure that the agreement can be verified, because if it can't and one side can cheat, then it certainly is not a viable agreement.

Now, these things are very difficult matters to handle, and I don't think anybody should be confused about the fact that they are difficult. They are complex, there's mutual suspicion, the subject matter itself is very involved, and so we have to proceed with the hope that we can achieve some success—but with the full realization that it's not going to be easy.

Q. Mr. Secretary, it's almost exactly a year ago today, I believe, that Nixon, then a candidate, gave a speech in which he said he would approach such negotiations only on the grounds that the United States would be negotiating from a position of superiority.[4] Now, at this point does the administration feel that it's going into these talks in a position of superiority or rough equality—or however you want to characterize it—with the Soviet Union?

A. Well, I don't, as you know, I think he's used the term "sufficiency" and I think that we feel now that this is an appropriate time to enter these discussions and enter them seriously, with the hope that we can arrive at an agreement that will be mutually advantageous. And I don't want to characterize what we think. We think this is the right time to do it, and I think the Soviet Union does, too.

Q. Will you take a question on Lebanon?

A. I'll take it—[Laughter.] No, I'm sorry, I don't want to get involved in anything else this morning.

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[4] See *Documents on Disarmament, 1968*, pp. 691–695.

Q. By "agreement" as the objective, are you speaking of the treaty that would be submitted to the Senate for ratification?

A. Well, I think that if we have an agreement, a very comprehensive agreement, we are thinking in terms of the treaty, yes. And I think that that is the most likely outcome, assuming we reach an agreement.

On the other hand, I wouldn't want to be frozen in that position, because it's possible that we would want to have some kind of an agreement of a limited nature, that would not require a treaty.

But in any event, I want to make it clear that if we did something other than by way of treaty, we would keep Congress constantly advised and consult with them and be sure that it met with their approval, and we would keep our allies advised.

In other words, I think the chances are that the agreement would be in treaty form; but I wouldn't want to necessarily be frozen in that position.

Q. Mr. Secretary, having talked with Ambassador Dobrynin, how do you characterize the Russian attitude? They are willing to talk, but are they enthusiastic, cautious—what can you tell us about that?

A. Well, I had long talks with Mr. Gromyko on this subject, in New York. We talked three times for 3 or 4 hours' duration, total; and I would characterize his attitude as serious.

He gave me the impression that the Soviet Union is serious about these talks—he didn't indicate that they were entering the talks or about to enter the talks for purposes of propaganda—and that their attitude was about the same as ours. It's a realistic attitude.

We are not talking about *détente*, or anything else. We are talking about whether it makes sense for the two of us to continue to spend immense amounts of money for the next 5, or 10, or 15 years on strategic weapons and end up at the end of that time in the same relative position—or whether it would be wiser to use the money for some other purposes.

Now, that's just a matter of hardware.

If we can work out that kind of an agreement so that each of us feels it's to our advantage to enter that kind of an agreement and we're satisfied that the agreement can be verified so that neither side can cheat—then it makes sense to do it.

So, I think they are serious about it. You always can be wrong, but at the moment I would say that their attitude is serious and that they intend to approach it in the same attitude that we do.

Effect on East-West Relations

Q. Mr. Secretary, do you expect, sir, that the initiation of these talks will itself affect the general pattern of East-West relations? As these talks proceed, will they have, in your judgment, a relationship to the conduct of international affairs as a whole, in the Middle East, for—

A. Well, let me say this: They are not conditional in any sense of the word.

We haven't laid down any conditions for these talks.

I suppose that when you're talking with the representatives of the Soviet Union in any field, it does tend to improve the relations somewhat—especially if the talks seem to be succeeding.

Now, we are talking with them on NPT,[5] for example. We hope that they will ratify NPT.

We are talking with them in Geneva about a seabeds treaty—and those discussions have gone rather well.

We are going to talk with them further about chemical and biological warfare limitations.

So I suppose that all of those things tend to improve the atmosphere between the Soviet Union and the United States.

But I don't think anybody should be misled. The mere fact that those talks seem to be going well doesn't necessarily mean other things are going to go well. We would hope that they will, but I think that the invasion of Czechoslovakia demonstrated that point. Just prior to the invasion of Czechoslovakia, there was a feeling of *détente* in Europe, that things were going very well between the United States and the Soviet Union—between East and West—and unfortunately, that invasion of Czechoslovakia changed that.

So to summarize, I think that it does tend slightly to improve the atmosphere, but we shouldn't be euphoric about the fact that we are having talks.

Q. Mr. Secretary, in view of that, the question about Viet-Nam, which may relate to this, has the fact that you have said we are de-escalating in Viet-Nam had an effect on the Soviet attitude toward these talks?

A. Well, as I say, I don't know what's had an effect on the Soviet attitude. There's no way of knowing for sure. I can speculate, but I don't think my speculation is worth any more than anyone else's.

Q. Thank you.

Q. You could try, sir. [*Laughter.*]

A. Well, I would rather read about it. [Laughter.]

Q. Mr. Secretary, do you expect the United States and the Soviet Union to enter these preliminary discussions with formal, substantive proposals on the 17th of November?

A. Well, I wouldn't think that we would start out that way, no. As I say, I think these talks will be exploratory.

I don't rule out, as Mr. Roberts asked, whether we rule out any discussion of substantive matters.

The answer to that is no.

But I wouldn't think that would be the way the discussions would start.

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[5] *Ibid.*, pp. 461–465.

Q. Mr. Secretary, do you have any indication of what the Soviet position will be in terms of willingness, or lack of willingness, to agree to things like a MIRV moratorium, or some agreements on ABM?

A. No.

Q. Thank you, sir.

Revised American-Soviet Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil thereof, October 30, 1969 [1]

The States Parties to this Treaty,

Recognizing the common interest of mankind in the progress of the exploration and use of the seabed and the ocean floor for peaceful purposes,

Considering that the prevention of a nuclear arms race on the seabed and the ocean floor serves the interests of maintaining world peace, reduces international tensions, and strengthens friendly relations among States,

Convinced that this Treaty constitutes a step towards the exclusion of the seabed, the ocean floor and the subsoil thereof from the arms race, and determined to continue negotiations concerning further measures leading to this end,

Convinced that this Treaty constitutes a step towards a Treaty on General and Complete Disarmament under strict and effective international control, and determined to continue negotiations to this end,

Convinced that this Treaty will further the purposes and principles of the Charter of the United Nations, in a manner consistent with the principles of international law and without infringing the freedoms of the high seas,

Have agreed as follows:

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the seabed and the ocean floor and in the subsoil thereof beyond the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone [2] any objects with nuclear weapons or any other types of weapons of mass destruction, as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this Article shall also apply within the contiguous zone referred to in paragraph 1 of this

[1] CCD/269/Rev. 1, Oct. 30, 1969.
[2] 15 UST 1606.

Article, except that within that zone they shall not apply to the coastal state.

3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to commit actions prohibited by this Treaty and not to participate in any other way in such actions.

Article II

1. For the purpose of this Treaty the outer limit of the contiguous zone referred to in Article I shall be measured in accordance with the provisions of Part I, Section II of the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone and in accordance with international law.

2. Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, or to the seabed and the ocean floor.

Article III

1. In order to promote the objectives and ensure the observance of the provisions of this Treaty, the States Parties to the Treaty shall have the right to verify the activities of other States Parties to the Treaty on the seabed and the ocean floor and in the subsoil thereof beyond the maximum contiguous zone, referred to in Article I, if these activities raise doubts concerning the fulfilment of the obligations assumed under this Treaty, without interfering with such activities or otherwise infringing rights recognized under international law, including the freedoms of the high seas.

2. The right of verification recognized by the States Parties in paragraph 1 of this Article may be exercised by any State Party using its own means or with the assistance of any other State Party.

3. The States Parties to the Treaty undertake to consult and co-operate with a view to removing doubts concerning the fulfilment of the obligations assumed under this Treaty. In the event that consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed under this Treaty, States Parties to this Treaty may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council.

Article IV

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

Article V

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order

to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

Article VI

Each Party to this Treaty shall in exercising its national sovereignty have the right to withdraw from this Treaty if it decides that extraordinary events related to the subject matter of this Treaty have jeopardized the supreme interests of its country. It shall give notice of such withdrawal to all other Parties to the Treaty and to the United Nations Security Council three months in advance. Such notice shall include a statement of the extraordinary events it considers to have jeopardized its supreme interests.

Article VII

1. This Treaty shall be open for signature to all States. Any State which does not sign the Treaty before its entry into force in accordance with paragraph 3 of this Article may accede to it at any time.
2. This Treaty shall be subject to ratification by signatory States. Instruments of ratification and of accession shall be deposited with the Governments of . . . . . which are hereby designated the Depositary Governments.
3. This Treaty shall enter into force after the deposit of instruments of ratification by twenty-two Governments, including the Governments designated as Depositary Governments of this Treaty.
4. For States whose instruments of ratification or accession are deposited after the entry into force of this Treaty it shall enter into force on the date of the deposit of their instruments of ratification or accession.
5. The Depositary Governments shall forthwith notify the Governments of all States signatory and acceding to this Treaty of the date of each signature, of the date of deposit of each instrument of ratification or of accession, of the date of the entry into force of this Treaty, and of the receipt of other notices.
6. This Treaty shall be registered by the Depositary Governments pursuant to Article 102 of the Charter of the United Nations.

Article VIII

This Treaty, the English, Russian, French, Spanish and Chinese texts of which are equally authentic, shall be deposited in the archives of the Depositary Governments. Duly certified copies of this Treaty shall be transmitted by the Depositary Governments to the Governments of the States signatory and acceding thereto.

In witness whereof the undersigned, being duly authorized thereto, have signed this Treaty.

Done in . . . . . at . . . . . this . . . . . day of . . . . . .

Statement by the United States Representative (Leonard) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, October 30, 1969 [1]

2. On 7 October the co-Chairmen tabled the text of a joint draft sea-bed treaty for the consideration of this Committee.[2] The joint text was the result of long and involved consultations between the co-Chairmen and represented, we believe, a realistic basis for broad agreement. My delegation has appreciated the thoughtful comments that have been made by the members of the Committee during its discussion of the joint text.

3. We have noticed that the major concerns raised during these discussions have been in three areas. The first is the concern that the treaty should serve to protect the security interests of all the States parties to the treaty; the second is that, while protecting these security interests, the treaty should clearly reflect that it in no way prejudices or infringes existing rights recognized under international law, except for the limitations for arms-control purposes on activities falling within the scope of the treaty; and the third concern is that the treaty should contribute to further progress in the field of arms control.

4. In the light of these concerns, a number of delegations have made specific suggestions for improving the draft of 7 October, and several members of the Committee have introduced working papers and formal documents.[3] The co-Chairmen have carefully considered the various suggestions and proposed amendments. As a result, we are able to present today a revised treaty text, which is now before the Committee.[4] In view of the importance which our delegation attaches to the changes that have been made in the revised text, I should like to discuss these changes in the context of the three areas of concern to which I have referred previously.

5. First, there is the concern that the treaty should serve to protect the security interests of all the parties. We have noted the statements made recently by the delegations of Japan, the Netherlands, Italy, Sweden, Poland, Pakistan, Burma and Morocco, and the specific recommendations of the delegation of the United Kingdom,[5] which have all referred to a problem regarding the status of the zone, or "gap", lying between the outer limit of the maximum contiguous zone and the outer limit of claimed territorial seas which are narrower than twelve miles. It has been rightly pointed out that the treaty does not clearly indicate whether the prohibition accepted by a party in article I applies in such a gap off the coast of another party, and that such uncertainty could raise serious security questions for those States concerned.

6. To eliminate this uncertainty, article I has been amended by the addition of a new paragraph 2 which states:

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[1] CCD/PV.447, pp. 5–10.
[2] *Ante*, pp. 473–475.
[3] *Ante*, pp. 481–482, 486.
[4] *Supra*.
[5] For the U.K. recommendations, see CCD/PV.444, pp. 23–24.

The undertakings of paragraph 1 of this Article shall also apply within the contiguous zone referred to in paragraph 1 of this Article, except that within that zone they shall not apply to the coastal state.

This language makes clear, in view of article 24 of the Geneva Convention on the Territorial Sea and the Contiguous Zone,[6] that the prohibition of article I, paragraph 1, applies to this "gap" between the territorial sea and the outer limit of the contiguous zone for all States except, of course, the coastal State. The previous paragraph 2 of article I has been renumbered paragraph 3.

7. Another problem relating to security interests has been reflected in the comments made by the delegations of the Netherlands, Bulgaria, Czechoslovakia, Italy, Poland, Ethiopia, Mongolia, Yugoslavia and the United Arab Republic, and in the working paper submitted by the delegation of Canada.[7] I refer to the question whether article III should specify the possible recourse which parties would have if there were serious unresolved questions regarding fulfilment of the obligations of the treaty.

8. Several delegations suggested that the treaty would be strengthened if it made specific reference to the existing procedures by which States can bring serious matters to the attention of the Security Council. We believe that this is an important suggestion, since it would emphasize the seriousness with which States would view possible violations of the treaty and would clearly restate the right of parties to bring such questions before the Security Council. Accordingly we have added a second sentence to article III, paragraph 3, to read as follows:

In the event that consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed under this Treaty, States Parties to this Treaty may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council.

9. I would like to turn now to the second major area of concern, namely that the treaty should in no way prejudice or infringe existing rights recognized under international law.

10. A number of delegations have raised the question of how the treaty envisages the application of international law, including the 1958 Convention on the Territorial Sea and the Contiguous Zone. In this context, we have noted the views expressed by several delegations regarding the application of international law to the geographical area covered by the treaty. The United States delegation has not yet commented in detail in the Committee on the geographical coverage of the treaty, and I think it would be appropriate for me to do so now.

11. There are two provisions which together delimit the area of the treaty prohibitions so as to create balanced obligations among the parties. The rules adopted for defining the treaty area are widely-accepted international standards.

12. Article I, paragraph 1, extends the treaty prohibitions to the entire sea-bed and ocean floor "beyond the maximum contiguous zone provided for in the 1958 Geneva Convention . . .". The maximum

[6] 15 UST 1606.
[7] For the Canadian paper, see *ante*, pp. 481–482.

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seaward limit of the contiguous zone provided for in that Convention is twelve miles. Under paragraph 1 of article II of the sea-bed treaty, the outer limit of this zone will be measured from baselines drawn in accordance with the provisions of section II of part I of the 1958 Convention and "in accordance with international law". This section of the Geneva Convention contains the detailed rules which are to be used to determine the baselines from which the twelve-mile zone is measured in most situations.

13. However, the provisions of section II of the Convention expressly do not apply to certain situations, such as "historic" bays. It was for this reason that the language "and in accordance with international law" was also included in paragraph 1 of article II of the treaty. In those situations where the section II rules are expressly inapplicable under the terms of the 1958 Convention, the rules of customary international law will govern the location of the baseline for the purposes of this treaty. Thus, the twelve-mile contiguous zone would be measured from the closing line across an historic bay only if the waters were enclosed as internal waters in accordance with the rules of customary international law.

14. Now I would also like to emphasize that, although the treaty relies on the 1958 territorial sea Convention to define treaty baselines and the outer limit of the exempted coastal zone, this reference in no way implies that any party to the sea-bed treaty which was not a party to the 1958 Convention would find itself bound by or, so to speak, adhering to that Convention.

In other words, a party to the sea-bed treaty would accept only that the outer limits of the zone exempted from the prohibitions of the sea-bed treaty should be measured in accordance with certain rules in section II of the 1958 Convention. Therefore a party to the sea-bed treaty would not be accepting those 1958 rules for any purpose other than that of determining where the sea-bed arms-control treaty applied.

15. There is one other point I should like to touch upon in this connexion. That is the question of disputes regarding rights, claims and recognition or non-recognition of rights or claims affecting the law of the sea. As we all know, there are differing positions among States, regarding, for example, such matters as the proper breadth of the territorial sea. I may state unequivocally that it is not the purpose of this treaty to settle such matters; nor is it the purpose of the treaty to give one State or another State or any group of States an advantage vis-à-vis any other State or group of States with respect to law-of-the-sea issues. That is why article II, paragraph 2, contains the best disclaimer clause that it has been possible for the authors of this draft to devise.

16. It would indeed be most regrettable if any countries considering this sea-bed treaty were to fail to accept the disclaimer clause as meaning just what it says. We are convinced that it is possible to negotiate and conclude a sea-bed treaty which establishes meaningful arms limitations but does not prejudice any State's position regarding law-of-the-sea questions. The disclaimer clause would in effect prevent any party from saying to any other party that acceptance of the treaty or any actions under it had somehow created or implied an acceptance

of new or different positions regarding the law of the sea, except for the limitations for arms-control purposes created by the treaty itself. With that in mind I trust that it will be possible to refer in this treaty to "the freedoms of the high seas" without establishing or implying the precise boundary for the limits of the high seas.

17. I should like now to discuss the third major area of concern: that the treaty should contribute to further progress in the field of arms control. That concern has found expression in a number of proposals which I should like to discuss separately.

18. First there is the idea, supported by the delegations of Canada, the Netherlands, Bulgaria, Czechoslovakia, the United Kingdom, Hungary, India, Brazil, Ethiopia, Mongolia, Pakistan, Argentina, Burma, the United Arab Republic and Nigeria, that the treaty should provide for a review conference as envisaged in the 22 May draft submitted by the United States.[8] As has been pointed out, such a conference would review the operation of the treaty with a view to ensuring that the purposes of the preamble and the provisions of the treaty were being realized. At the same time the conference would provide an opportunity to consider the effect of technological or other changes on the operation of the treaty, and whether it would be appropriate to expand its scope.

19. In this connexion I should like to refer to the draft amendment submitted by the representative of Sweden which in an operative paragraph would commit parties to continuing negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed.[9] It has been argued that this suggested amendment would provide an additional incentive to the parties to continue negotiations towards further measures to prevent an arms race on the sea-bed. The United States has made it clear in its statements that it considers the present draft treaty as a possible first step towards other arms-control measures. That belief was reflected in the third and fourth preambular paragraphs of the joint draft of 7 October.

20. We have also stated that the present state of sea-bed technology and verification capabilities calls for a realistic measure at this time which may be reviewed later as those capabilities increase. Being committed to that principle, we have examined the various suggestions for incorporating the principle into the revised draft. After careful consideration we have concluded that provision for a review conference, when considered in conjunction with the third preambular paragraph, would provide effective and appropriate assurances. We believe that if the parties commit themselves to review the treaty after a specified period of time—that is, five years after its entry into force—we shall eliminate the possibility that a review might be postponed or delayed indefinitely as a result of unforeseen political circumstances. Accordingly we have included in the revised draft a new article V which provides for a review conference five years after the treaty has entered into force. The language of the article is as follows:

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[8] *Ante*, pp. 211–213.
[9] *Ante*, p. 486.

Five years after the entry into force of this treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. Such review shall take into account any relevant technological developments. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

21. Another aspect of the concern that the treaty should be a flexible instrument relates to the procedure for amendment. We have reviewed that question, and it seems to us that a procedure by which all parties would have an equal voice in deciding which amendments should be included in the treaty would provide for a more flexible treaty. Accordingly we have included in the revised draft a new article IV based on the amendments article of the outer-space Treaty.[10] The article reads as follows:

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

22. The United States delegation believes that the new treaty provisions which the co-Chairmen are recommending today are another major step in the negotiation of a sea-bed treaty. For this progress we are greatly indebted to the members of this Committee, whose constructive comments have contributed significantly to the revised text. For our part we shall continue to study carefully all the comments that have been made in the Committee, including those made in the last few days; and we shall have those comments very much in mind when we are continuing our work in the General Assembly. The General Assembly will, of course, wish to consider this text carefully and in our view it might be possible to decide at a later date whether any future modifications should be incorporated in response to the desires of the international community.

Statement by the Soviet Representative (Roshchin) to the Conference of the Committee on Disarmament: Revised Draft Sea-Bed Treaty, October 30, 1969 [1]

23. The discussion in this Committee of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and in the subsoil thereof, submitted by the Soviet Union and the United States on 7 October 1969,[2] has shown that there is a wide understanding of the importance and timeliness of the exclusion of the vast expanse of the sea-bed from the sphere of the arms race. That task is indeed becoming particularly urgent now that the practical exploration of the sea-bed

[10] *Documents on Disarmament, 1967*, pp. 38–43.
[1] CCD/PV. 447, pp. 11–14.
[2] *Ante*, pp. 473–475.

is beginning and the danger arises that this new field of human activity will be used not in the interests of peace but for military purposes.

24. The fruitful and constructive discussion which took place in the Committee shows that the submitted draft, which was drawn up, as is well known, with due regard to the views and positions of many delegations, was favourably received by members of the Committee, who approved its basic provisions. During the discussion a number of interesting considerations and proposals were put forward which constituted a definite contribution to the elaboration of the draft treaty on the sea-bed.

25. The co-Chairmen have carefully studied all the comments, additions and amendments to the draft sea-bed treaty put forward in the Committee. In analysing these views of the various delegations we naturally took as our criterion the extent to which they would contribute to the effective solution of the problem of prohibiting the emplacement on the sea-bed of nuclear and other weapons of mass destruction.

26. As the United States co-Chairman has already stated, the Soviet Union and the United States are today submitting for the consideration of the Committee on Disarmament a revised draft treaty [3] which contains a number of substantial additions and modifications taking into account the views expressed by many members of the Committee during the discussion of the draft submitted by the Soviet Union and the United States on 7 October. Allow me to explain briefly the modifications made in the draft treaty.

27. As has already been pointed out, many delegations paid a great deal of attention to the question of verification of observance of the treaty. This problem is of no little importance, because the parties to the treaty are naturally concerned to have confidence that the treaty is being strictly observed. In our opinion the verification system provided for in the draft treaty of 7 October is sufficiently reliable. Nevertheless, we have carefully examined all suggestions to amend the provision on control, and in evaluating them we have been guided by the need that the system of control should be both effective and realistic.

28. As has already been pointed out, many delegations—the delegations of Bulgaria, Czechoslovakia, the Netherlands, Brazil, Canada and a number of others—proposed that there should be provision for a procedure to settle disputes in case consultations between parties to the treaty failed to remove doubts as to its observance; namely, that such disputes should be referred to the Security Council. We adopted this proposal, and the resulting wording of paragraph 3 of article III has been read out by the United States representative. However, since the proposals introduced by us are of great importance, I shall read it again. It is as follows:

> The States Parties to the Treaty undertake to consult and co-operate with a view to removing doubts concerning the fulfilment of the obligations assumed under this Treaty.

Then comes the addition which was accepted:

> In the event that consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed

[3] *Supra.*

under this Treaty, States Parties to this Treaty may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council.

29. Almost all members of the Committee have suggested that, like the non-proliferation Treaty,[4] the treaty on the sea-bed should provide for the possibility of reviewing in the future at a special conference of its parties the question of how the treaty is operating, taking into account the progress of technology in the exploration of the sea-bed and the ocean floor and the subsoil thereof. That suggestion has also been accepted by the co-Chairmen. The corresponding new article V of the treaty, which has already been read out but which I shall take the liberty of repeating in view of the importance of the question we are considering in this case, reads as follows:

Five years after the entry into force of this Treaty, a conference of Parties to the Treaty shall be held in Geneva, Switzerland, in order to review the operation of this Treaty with a view to assuring that the purposes of the Preamble and the provisions of the Treaty are being realized. The review conference shall determine in accordance with the views of a majority of those Parties attending whether and when an additional review conference shall be convened.

30. The co-Chairmen also considered the question, raised by Sweden, Japan, the United Kingdom and other members of the Committee, of a more precise definition of the area to be covered by the treaty so that no doubts may arise whether the treaty prohibits destruction within the twelve-mile contiguous zone of other States whose territorial waters are less than twelve miles wide. In our opinion the new paragraph 2 of article I proposed by us should completely remove any doubts in this respect. This new paragraph—I shall again take the liberty of repeating it although it has already been read out by the United States representative—reads as follows:

The undertakings of paragraph 1 of this Article shall also apply within the contiguous zone referred to in paragraph 1 of this Article, except that within that zone they shall not apply to the coastal state.

31. As already mentioned by the previous speaker, the co-Chairmen have also taken into account the desire of many States members of the Committee that the right of veto of the nuclear Powers should be excluded from the article concerning the procedure for the adoption of amendments to the treaty. I am referring to article IV. This article is now worded in the same way as the corresponding article in the outer-space Treaty, in accordance with the wishes expressed and the suggestions made by a number of delegations during the discussion of 7 October on the draft treaty on the sea-bed. I shall once more take the liberty of reading out the new text of article IV:

Any State Party to the Treaty may propose amendments to this Treaty. Amendments shall enter into force for each State Party to the Treaty accepting the amendments upon their acceptance by a majority of the States Parties to the Treaty and thereafter for each remaining State Party on the date of acceptance by it.

32. Those are the modifications which have been introduced into the draft treaty. We hope that these amendments, which take into account the suggestions of the participants in our negotiations, will

[4] *Documents on Disarmament, 1968*, pp. 461–465.

receive their support and approval. The draft treaty on the sea-bed is the result of negotiations carried out within the framework of our Committee over many months. We hope, therefore, that the Committee will submit the draft treaty put forward here today to the United Nations General Assembly.

33. The drafting of the sea-bed treaty will constitute a further contribution to the solution of the problem of narrowing the sphere of the arms race. This new agreement will undoubtedly contribute to the creation of more favourable conditions for preparing and implementing further measures aimed at stopping the arms race and achieving disarmament. At the same time it is a necessary prerequisite for the development of international co-operation in exploring the sea-bed and ocean floor for peaceful purposes.

34. Permit me now to make a comment in connexion with the considerations put forward by the delegation of the United States in its statement this morning regarding the method of calculating the outer limit of the twelve-mile contiguous zone.[5] I should like to say that the Soviet Union reserves its right to express its views on this subject later on.

Report by the Conference of the Committee on Disarmament to the General Assembly and the Disarmament Commission, October 31, 1969 [1]

The Conference of the Committee on Disarmament submits to the United Nations General Assembly and to the United Nations Disarmament Commission a progress report on the Committee's deliberations on all questions before it for the period 18 March 1969 to 30 October 1969.

I. ORGANIZATION OF THE CONFERENCE

A. *Procedural Arrangements*

The Conference reconvened on 18 March 1969.

Two sessions were held, the first from 18 March 1969 to 23 May 1969 and the second from 3 July 1969 to 30 October 1969.

During this period, the Committee held 54 formal plenary meetings at which members set forth their governments' views and recommendations for progress on the questions before the Committee.

The Committee also considered ways in which its available time might be used to maximum advantage in order to give all members a full opportunity for detailed examination of the questions before the Committee. In addition to formal meetings, and brief discussions of procedural matters, the Committee held a number of informal meetings devoted to discussions without records of the following disarma-

[5] *Supra.*
[1] CCD/274, Oct. 31, 1969.

ment topics: The question of the prevention of an arms race on the sea-bed, the question of chemical and bacteriological (biological) warfare, the question of a comprehensive ban on the testing of nuclear weapons, and the Committee's report to the Twenty-fourth session of the United Nations General Assembly (see Part III).

In addition to the plenary meetings described above, members of the Committee met frequently for informal multilateral consultations on disarmament questions of common interest.

The representatives of the Union of Soviet Socialist Republics and the United States of America, in their capacity as Co-Chairmen of the Committee, also held meetings to discuss procedural and substantive questions before the Committee.

B. *Participants in the Conference*

Representatives of the following States continued their participation in the work of the Committee: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, and United States of America.

In view of the desire of other countries that could make an important contribution to disarmament to participate in the work of the Committee, the Co-Chairmen engaged in extended discussions regarding the possibility of a limited enlargement of the membership of the Committee.

The objective of the Co-Chairmen was to reach agreement on a group of countries that would give the enlargement geographic and political balance and at the same time preserve the Committee as a small and effective negotiating body. The question of the enlargement was discussed at informal plenary meetings of the Committee on 23 May 1969 and 31 July 1969; in addition, members of the Committee expressed their views concerning the enlargement and the procedure adopted for its implementation at a formal plenary meeting on 31 July 1939 (ENDC/PV.424).

Representatives of the following states joined the Committee: on 3 July 1969, Japan and Mongolia; and on 7 August 1969, Argentina, Hungary, Morocco, The Netherlands, Pakistan and Yugoslavia.

On 26 August 1969, it was decided that the new name of the Committee would be "The Committee on Disarmament" and that the new name of the Conference would be "The Conference of the Committee on Disarmament" (CCD).

II. BASES AND GUIDELINES FOR THE COMMITTEE'S WORK

The work of the Committee is based, *inter alia*, on: the Provisional Agenda of work that the Committee adopted on 15 August 1968; resolutions regarding disarmament matters adopted by the General Assembly of the United Nations; the Joint Statement of Agreed Principles for Disarmament Negotiations submitted to the United Nations General Assembly in September 1961 by the Governments of the

United States and the Union of Soviet Socialist Republics; [2] and past agreements in the field of disarmament and arms limitation.

The Provisional Agenda adopted by the Committee on 15 August 1968 reads as follows:

1. Further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.

Under this heading members may wish to discuss measures dealing with the cessation of testing, the non-use of nuclear weapons, the cessation of production of fissionable materials for weapons use, the cessation of manufacture of weapons, and reduction and subsequent elimination of nuclear stockpiles, nuclear free zones, etc.

2. Non-nuclear measures.

Under this heading, members may wish to discuss chemical and bacteriological warfare, regional arms limitations, etc.

3. Other collateral measures.

Under this heading, members may wish to discuss prevention of an arms race on the sea-bed, etc.

4. General and complete disarmament under strict and effective international control.

The Committee also noted the recognized right of any delegation to raise and discuss any disarmament subject at any time.[3]

The following resolutions of the General Assembly adopted at its twenty-third session were transmitted to the Committee by the Secretary-General of the United Nations in a letter dated 15 February 1969:

A/RES/2454 A and B (XXIII)	"Question of General and Complete Disarmament" [4]
A/RES/2455 (XXIII)	"Urgent need for suspension of nuclear and thermo-nuclear tests" [5]
A/RES/2456 A,B,C, and D (XXIII)	"Conference of Non-Nuclear Weapon States" [6]

In pursuing its objectives, the Committee has benefited from the examples and experience provided by measures like the Antarctic Treaty [7] that were achieved before the Committee came into existence and also by the results of more recent disarmament negotiations, which include the Treaty of 1963 Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space, and Under Water,[8] the Treaty of 1967 on Principles Governing the Activities of States in the Exploration and Use of Outer Space, Including the Moon and Other Celestial

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[2] *Documents on Disarmament, 1961*, pp. 439–442.
[3] *Ibid., 1968*, pp. 583–584.
[4] *Ibid.*, pp. 793–796.
[5] *Ibid.*, pp. 796–797.
[6] *Ibid.*, pp. 797–801.
[7] *Ibid., 1945–1959*, vol. II, pp. 1550–1556.
[8] *Ibid., 1963*, pp. 291–293.

Bodies,[9] and the Treaty of 1968 on the Non-Proliferation of Nuclear Weapons.[10]

Many members of the Committee affirmed that the latter Treaty, because of the provisions in its Article VI, gives strong support, and adds further urgency, to the recognized need for negotiations "on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control."

III. WORK OF THE COMMITTEE DURING 1969

During its 1969 sessions, the Committee was assisted in its examination and analysis of possible disarmament measures and their provisions by numerous messages, working papers and other documents that were submitted for its consideration (Annex B and C), and by the plenary statements of Committee members (Annex D).[11]

The Committee considered, in accordance with its provisional agenda, the following disarmament measures:

A. Further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.

The Committee continued its work on further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament.

In accordance with the recommendations of the General Assembly in Resolution 2455 (XXIII), the Committee devoted considerable attention to the question of a treaty banning underground nuclear weapon tests.

On 1 April 1969 the representative of Sweden submitted a working paper, which set forth suggestions as to possible provisions for a treaty banning underground nuclear weapon tests (ENDC/242).[12] This paper was discussed by the Committee. Members also considered the recommendation concerning verification of a comprehensive test ban treaty submitted by the representative of Nigeria on 15 May 1969 (ENDC/246),[13] and the suggestions on underground nuclear explosions submitted by the representative of Italy on 22 May 1969 (ENDC/250).[14]

In order to encourage a full examination of this question, an informal meeting regarding a comprehensive ban on the testing of nuclear weapons was held on 21 May 1969 at the request of the Swedish delegation.

On 31 July 1969, the representative of Japan submitted a proposal to prohibit underground nuclear weapon tests above magnitude 4.75 as a provisional measure, and then to prohibit all tests when the verification system to monitor underground explosions above magnitude 4.0 is devised and completed (ENDC/PV 424).[15]

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[9] *Ibid., 1967*, pp. 38–43.
[10] *Ibid., 1968*, pp. 461–465.
[11] The annexes are not printed here.
[12] *Ante*, pp. 140–142.
[13] *Ante*, pp. 210–211.
[14] *Ante*, pp. 218–219.
[15] *Ante*, pp. 380–385.

The Committee also considered suggestions for establishing through international co-operation a voluntary exchange of seismological data in order to create a better scientific basis for evaluation of seismological events. In this connexion, a working paper on requests to governments for the provision of certain information in the context of setting up a world-wide exchange of seismological data (ENDC/251) was submitted by the representative of Canada on 23 May 1969.[16] Working papers on seismological research were also submitted by the representatives of Canada (ENDC/248), Sweden (ENDC/257), and the United Kingdom (ENDC/258),[17] and a working paper on a seismic investigation proposal was submitted by the representative of the United States (ENDC/252).[18]

The question of an exchange of seismological data was discussed at an informal meeting on a comprehensive test ban that was held on 13 August 1969 at the request of the Canadian delegation; representatives of the following countries submitted their remarks as working papers: Canada (ENDC/259),[19] India (ENDC/261),[20] Japan (ENDC/260),[21] and the United States (ENDC/262).[22] Subsequently, on 18 August 1969, the representative of Canada submitted a revised working paper on requests to governments for information about exchange of seismological data (ENDC/251/Rev.1).[23]

Several representatives set forth specific suggestions for progress in this field during their interventions in formal plenary meetings. On 10 April 1969, the representative of the USSR stated the willingness of the Soviet Union to exchange seismic data within the so-called "detection club", if this were to facilitate the conclusion of a comprehensive test ban treaty on the basis of national means of control (ENDC/PV 402).[24] On 10 April 1969, the representative of Ethiopia suggested that the Secretary-General of the United Nations be asked to investigate the possibility of creating an international seismic research agency (ENDC/PV 402).

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In their plenary statements, members of the Committee also addressed the questions of the cessation of manufacture of weapons, and reduction and subsequent elimination of nuclear stockpiles.

On 10 April 1969, the representative of the USSR called for agreement on its draft convention on the prohibition of the use of nuclear weapons (ENDC/PV 402).[25]

On 8 April 1969, the representative of the United States recommended that its proposal for a cessation in the production of fissionable material for use in weapons be verified by means of IAEA safeguards (ENDC/PV 401).[26]

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[16] *Ante*, pp. 231–233.
[17] *Ante*, pp. 405–408.
[18] *Ante*, pp. 246–247.
[19] *Ante*, pp. 397–399.
[20] *Ante*, pp. 400–402.
[21] *Ante*, pp. 399–400.
[22] *Ante*, pp. 402–405.
[23] *Ante*, pp. 418–420.
[24] *Ante*, pp. 170–171.
[25] *Ante*, pp. 165–170.
[26] *Ante*, pp. 158–161.

Members of the Committee expressed views on the subject of nuclear-free zones.

On 24 March 1969 the representative of Mexico submitted a working paper on the establishment of a nuclear-free zone in Latin America (ENDC/241). On 9 September 1969 the representative of Mexico informed the Committee that on 2 September 1969 the General Conference of the new Agency for the Prohibition of Nuclear Weapons in Latin America was inaugurated in Mexico City (CCD/PV 435). On 15 September 1969 the representative of Mexico submitted a working paper on the first session of the General Conference of the Agency for the Prohibition of Nuclear Weapons in Latin America (OPANAL) (CCD/268).

On 1 April 1969, the representative of Poland, recalling earlier proposals of his government, suggested renewed efforts toward the creation of a nuclear-free zone in Central Europe (ENDC/PV 399). A statement on this question was also made by the representative of Czechoslovakia (ENDC/PV 399). On 8 May 1969 the representative of Romania expressed his government's views on the creation of a nuclear-free zone in the Balkans (ENDC/PV 409).

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Many members of the Committee affirmed that early entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons would, in view of its Article VI, stimulate progress in negotiation of effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. Many members also expressed the hope that additional countries would sign and ratify the treaty as soon as possible.

Recalling General Assembly resolution 2456 C (XXIII),[27] many members of the Committee expressed the hope that the Governments of the Union of Soviet Socialist Republics and the United States of America would enter at an early date into bilateral discussions on the limitation of offensive strategic nuclear weapons delivery systems and systems of defense against ballistic missiles. Members of the Committee welcomed the announcement in Moscow and Washington on 25 October 1969 that preliminary discussions between representatives of the two governments would begin on 17 November 1969.[28]

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The Committee is convinced of the continued need to give highest priority in its work to further effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, with due consideration to maintaining a balance among various measures to prevent armament, to limit armament and of disarmament.

B. Non-Nuclear Measures

In its 1968 Report to the United Nations General Assembly the Committee recommended that the Secretary-General appoint a group of experts to study the effects of the possible use of chemical and bacteriological means of warfare.[29] This recommendation was incorporated

[27] *Documents on Disarmament, 1969*, pp. 799–800.
[28] *Ante*, p. 499.
[29] *Documents on Disarmament, 1968*, p. 594.

in General Assembly resolution 2454 A (XXIII),[30] pursuant to which the Secretary-General transmitted to the Committee on 7 July 1969 a report on chemical and bacteriological (biological) weapons and the effects of their possible use.[31] Members of the Committee welcomed the experts' report and agreed that it provides a useful and needed basis for further consideration of the question of chemical and bacteriological (biological) warfare.

Specific proposals for possible action in this field were placed before the Committee in the form of a draft convention for the prohibition of biological methods of warfare and accompanying draft Security Council resolution submitted by the representative of the United Kingdom on 10 July 1969 (ENDC/255),[32] and a working paper concerning the report of the Secretary-General submitted by the representative of Poland on 22 July 1969 (ENDC/256).[33]

The question of the prohibition of chemical and bacteriological (biological) warfare was discussed on 14 May 1969 at an informal meeting called at the request of the United Kingdom Delegation. A second informal meeting on this question was held on 30 July 1969 at the request of the United Kingdom Delegation, which subsequently submitted a revision of its draft convention for the prohibition of biological methods of warfare and accompanying draft Security Council resolution (ENDC/255 Rev.1).[34]

On 14 August 1969, the representative of Japan proposed that the Committee should study, with the assistance of a group of scientists and technologists, the technical problems relating to the verification of the production and stockpiling of chemical and biological weapons, so that an agreement could be reached by the Committee as soon as possible on appropriate means of such verification (ENDC/PV 428).[35]

On 26 August 1969, the representatives of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia, submitted a Working Paper on a proposed declaration by the United Nations General Assembly regarding the prohibition of the use of chemical and biological methods of warfare (ENDC/265).[36]

On 26 August 1969, the representative of Canada submitted a Working Paper on a draft United Nations General Assembly resolution on Chemical and Bacteriological (Biological) Warfare (ENDC/266).[37]

Members of the Committee underlined the necessity of supporting the purposes and principles of the Geneva Protocol and the hope was expressed that additional countries would adhere to it in the near future.[38] On 31 July 1969 the representative of Mongolia suggested that the General Assembly appeal to all governments which have not yet done so to accede to or to ratify the Protocol in the course of 1970, the 45th anniversary of the signing of that document (ENDC/PV 424).

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[30] *Ibid.*, pp. 793–795.
[31] *Ante*, pp. 264–298.
[32] *Ante*, pp. 324–326.
[33] *Ante*, *pp.* 328–329.
[34] *Ante*, pp. 431–434.
[35] *Ante*, pp. 408–412.
[36] *Ante*, pp. 435–436.
[37] *Ante*, pp. 430–431.
[38] The Geneva protocol appears *post*, pp. 764–765.

The Committee intends to continue intensive work on the problem of chemical and bacteriological (biological) warfare.

C. Other Collateral Measures

In light of recent progress toward the development of the sea-bed and the ocean floor, and the growing interest of the international community in the sea-bed, many members of the Committee called attention, from the outset of the 1969 sessions, to the need for timely steps to prevent an extension of the arms race to this new area of man's environment.

The following documents on this subject were submitted to the Committee: a draft treaty prohibiting the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof (ENDC/240), submitted by the representative of the USSR on 18 March 1969;[39] an amendment thereto (ENDC/247), proposed by the representative of Nigeria on 15 May 1969; a draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor (ENDC/249), submitted by the representative of the United States on 22 May 1969;[40] a working paper on the control provisions for a treaty on the non-armament of the sea-bed and ocean floor (ENDC/264), submitted by the representative of Brazil on 21 August 1969; and a working paper on the settlement of disputes arising from the implementation of a treaty for the non-armament of the sea-bed and ocean floor (ENDC/267), submitted by the representative of Brazil on 1 September 1969.[41]

Members of the Committee made statements at plenary meetings in which they set forth their governments' positions on the sea-bed question, and specific recommendations and suggestions for progress on this subject. In these statements members of the Committee concentrated on the following principal issues: first, the scope of the prohibition, that is, which weapons and facilities should be prohibited; second, the area of the sea-bed to which the prohibition should apply; and third, the methods and procedures for verifying compliance with the prohibition.

On 7 October 1969, the representatives of the Soviet Union and the United States, having considered the discussions in the Committee, tabled a joint draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof (CCD/269).[42]

During the subsequent discussion of this draft treaty, several members made specific proposals and suggestions for amendments and for changes in the text. On 8 October 1969, the representative of Canada submitted a working paper on Article III of the draft treaty (CCD/270).[43] On 16 October 1969, the representative of Sweden submitted a suggestion for an article to be added to the draft treaty on continued negotiations relating to a more comprehensive prohibition of the use of

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[39] *Ante*, pp. 112–113.
[40] *Ante*, pp. 211–213.
[41] *Ante*, pp. 445–447.
[42] *Ante*, pp. 473–475.
[43] *Ante*, pp. 481–482.

the sea-bed for military purposes (CCD/271).[44] Further recommendations and the positions of members of the Committee regarding the draft treaty of 7 October 1969 were set forth in statements made by Committee members at plenary meetings.

The principal statements of members of the Committee on the sea-bed question are contained in the following proces verbaux: Argentina (CCD/PV.432, 445), Brazil (ENDC/PV.405, 413, 423, 430, CCD/PV. 433, 444), Bulgaria (ENDC/PV.410, CCD/PV.443), Burma (ENDC/PV.408, CCD/PV.445), Canada (ENDC/PV.410, 424,[45] CCD/PV. 441),[46] Czechoslovakia (ENDC/PV.423, CCD/PV.443), Ethiopia (ENDC/PV.430, CCD/PV.444), Hungary (ENDC/PV.430, CCD/PV.444), India (ENDC/PV.404, 428, CCD/PV.444), Italy (ENDC/PV.410, 423, CCD/PV.441), Japan (ENDC/PV.420, CCD/PV.442), Mexico (ENDC/PV.426, CCD/PV.445), Mongolia (CCD/PV.445), Morocco (CCD/PV.445), Netherlands (CCD/PV.442), Nigeria (ENDC/PV.411, 430, CCD/PV.445), Pakistan (CCD/PV.445), Poland (ENDC/PV.406, CCD/PV.444), Romania (CCD/PV.434), Sweden (ENDC/PV.405, 422, CCD/PV.443),[47] USSR (ENDC/PV. 395,[48] 400,[49] 409,[50] 415,[51] 423,[52] CCD/PV.440),[53] UAR (ENDC/PV.403, 421, CCD/PV.445), UK (ENDC/PV.404, CCD/PV.444), USA (ENDC/PV.397,[54] 411,[55] 414,[56] 415,[57] 421,[58] CCD/PV.440,[59] 443),[60] Yugoslavia (CCD/PV.434, 445).

Having in mind the views expressed by many members, and on the basis of further negotiation and consultations, the representatives of the Soviet Union and the United States submitted to the Committee on 30 October 1969 a revised draft treaty which included those amendments on which the Co-Chairmen had reached agreement.[61] Statements by Members of the Committee with regard to this draft treaty are contained in CCD/PV.447 and CCD/PV.448.

This draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction in the sea-bed and the ocean floor and in the subsoil thereof is reported in Annex A.

Having in mind General Assembly resolutions, a number of delegations expressed views on the question of the elimination of foreign military bases.

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[44] *Ante*, p. 486.
[45] *Ante*, pp. 373–380.
[46] *Ante*, pp. 482–486.
[47] *Ante*, pp. 487–491.
[48] *Ante*, pp. 118–120.
[49] *Ante*, pp. 151–158.
[50] *Ante*, pp. 198–205.
[51] *Ante*, pp. 239–241.
[52] *Ante*, pp. 345–349.
[53] *Ante*, pp. 475–478.
[54] *Ante*, pp. 134–138.
[55] *Ante*, pp. 205–210.
[56] *Ante*, pp. 213–218.
[57] *Ante*, pp. 234–236.
[58] *Ante*, pp. 329–335.
[59] *Ante*, pp. 478–481.
[60] *Ante*, pp. 491–497.
[61] *Ante*, pp. 507–509.

The representatives of Bulgaria, Czechoslovakia, Hungary, Poland, Romania and the Union of Soviet Socialist Republics made statements concerning the problem of European security.

D. General and Complete Disarmament

In light of the recommendation contained in General Assembly resolution 2454 B (XXIII),[62] members of the Committee kept in mind the relationship of the various measures already achieved and those currently being considered toward the ultimate goal of general and complete disarmament under effective international control. Members of the Committee were also mindful of the fact that the Joint Statement of Agreed Principles of Disarmament Negotiations of 1961 [63] provides guidelines which will ensure that disarmament is general and complete.

Specific recommendations for further work on the question of general and complete disarmament were made by the representatives of Sweden (ENDC/PV.397), India (ENDC/PV.404), and Poland (ENDC/PV.406). The representative of Romania suggested on 3 April 1969 that consideration be given to proclamation of a "United Nations Disarmament Decade, 1970–1980" (ENDC/PV.400). On 21 April 1969 the representative of Italy submitted to the Committee a working paper on the adoption of an organic disarmament programme (ENDC/245).[64] The concept of an organic disarmament programme was further explained by the representative of Italy in a working paper submitted on 20 August 1969 (ENDC/263).

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On 20 August 1969 the Committee held an informal meeting, at the request of the delegation of Italy, for a preliminary discussion regarding the Committee's report to the Twenty-Fourth session of the United Nations General Assembly. On 28 and 30 October 1969, the Committee met to consider a revised version of the report, which incorporated suggestion of Committee members (CCD/PV.446 and CCD/PV. 448).

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The Committee agreed to reconvene on a date to be established by the Co-Chairmen in consultation with all members of the Committee.

This report is transmitted by the Co-Chairmen on behalf of the Conference of the Committee on Disarmament.

Union of Soviet Socialist Republics United States of America

Prague Declaration of the Warsaw Pact Foreign Ministers, October 31, 1969 [1]

The foreign ministers of the Warsaw Pact states held a conference in Prague on 30 and 31 October 1969. The conference was attended by the following:

[62] *Documents on Disarmament, 1968*, pp. 795–796.
[63] *Ibid., 1961*, pp. 439–442.
[64] *Ante*, pp. 189–191.
[1] Budapest broadcast, Oct. 31, 1969.

On behalf of the Bulgarian People's Republic, Ivan Bashev, minister;
On behalf of the Czechoslovak Socialist Republic, Jan Marko, minister;
On behalf of the Polish People's Republic, Stefan Jedrychowski, minister;
On behalf of the Hungarian People's Republic, Karoly Erdelyi, deputy minister;
On behalf of the German Democratic Republic, Otto Winzer, minister;
On behalf of the Romanian Socialist Republic, Corneliu Manescu, minister;
On behalf of the USSR, Andrey Gromyko, minister.

The governments represented at the conference expressed their desire and readiness to take further steps, independently and in cooperation with other states, to ease tension in Europe, to consolidate security, and to develop peaceful cooperation. They confirmed the statements, justified by life, addressed to all European countries by the states of the Warsaw Pact on 27 [*17*] March 1969.[2]

The conference participants paid special attention to the preparation of calling an all-European conference which is to deal with the questions of European security and cooperation.

They noted with satisfaction that their proposal for holding an all-European conference had a wide and positive reception on the part of the majority of European states. This proposal has become the subject of active and thorough discussion in Europe, in the course of which concrete suggestions are being made on certain questions in connection with preparations for the conference.

All this creates realistic possibilities for holding the conference for establishing security in Europe through common efforts in the interests of all European states and peoples.

The Finnish Government's initiative of 5 [*6*] May 1969 [3] was also favorably received; it stated its readiness to cooperate in preparing and holding the all-European conference. All countries signing the Budapest appeal gave a positive reply to this initiative.

On behalf of their governments, the foreign ministers of the Warsaw Pact states propose that the following questions be placed on the agenda of the all-European conference:

1—The creation of security in Europe, renunciation of the use of force and the threat of force in relations between European states;

2—Widening commercial, economic, technical, and scientific relations between European states, serving the development of political cooperation, based on the equality of rights.

It is the firm conviction of the socialist states signing the present declaration that the fruitful discussion of the above-mentioned questions, as well as agreement on these questions, will, in addition to reducing tension in Europe, serve mutual understanding between states, the development of peaceful, friendly relations, and, through this,

[2] *Ante*, pp. 106–109.
[3] *Ante*, pp. 197–198.

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the realization of security in accordance with the vital interests of all European people.

The success of an all-European conference would be an historic event in the life of the peoples of our continent and the whole world. It would make possible the future examination of such other problems of European states whose solution would contribute to consolidating peace in Europe, promoting the development of wide and mutually advantageous cooperation of all European states, safeguarding security based on the collective foundation of today's Europe, formed by history, and on the joint efforts of states participating in one all-European conference.

The governments of the countries taking part in the present conference propose that, as a preparation for the all-European conference, the interested states should discuss these suggestions at bilateral or multilateral meetings. They are, naturally, ready to examine any other proposals which serve the preparation for and the success of the all-European conference.

On behalf of their governments, the foreign ministers express their conviction that, despite certain difficulties, not yet eliminated, all question connected with the preparation and holding of an all-European conference—whether they concern the agenda, the participants, or the convening of the conference—can be solved if good will and sincere efforts for mutual understanding are manifest.

The governments of the Bulgarian People's Republic, the Czechoslovak Socialist Republic, the Polish People's Republic, the Hungarian People's Republic, the GDR, the Romanian Socialist Republic, and the USSR ask that all European states, in the interests of the continent's peaceful future, should make efforts for calling the all-European conference as soon as possible. In their opinion, the conference could be held in Helsinki in the first half of 1970.

Chinese Communist Statement on Strategic Arms Limitation Talks, November 4, 1969 [1]

The United States and the Soviet Union announced in Washington and Moscow on October 25 that the two Governments have decided to begin "preliminary discussions" on the "strategic arms limitation talks" in Helsinki on November 17.[2] This is a big plot. It shows that the United States and the Soviet Union are contending with each other, each seeking to maintain its own nuclear superiority by restricting the other, while at the same time both are colluding with each other in a futile effort to further develop their nuclear military alliance so as to maintain their nuclear monopoly, which has gone bankrupt, and continue to carry out their nuclear threat against the people of the world. It is also a new move by the United States and the Soviet Union to step up their joint opposition to China.

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[1] *Peking Review*, Nov. 14, 1969, p. 28. The statement was broadcast by Peking radio on Nov. 4.

[2] *Ante*, p. 499.

On October 20, as disclosed by official U.S. circles, Anatoly Dobrynin, Soviet Ambassador to the United States, made a special visit to the White House for a secret talk with U.S. imperialist chieftain Nixon to convey the Soviet Government's consent to Nixon's proposal for holding U.S.-Soviet "strategic arms limitation talks." Two days later, Dobrynin had a long secret meeting with U.S. Secretary of State Rogers on the same subject.

Official U.S. statements have made it clear that the United States and the Soviet Union also intend to promote their extensive global deal through the so-called "strategic arms limitation talks." White House spokesman Ronald Ziegler divulged on October 28 that Nixon held that "there is a certain relationship between the S.A.L.T. and political questions." After meeting with Nixon the same day, U.S. House Republican leader Gerald Ford said the talks might be extended to include "a number of political issues between the United States and the Soviet Union."[3] The Soviet delegate to the Geneva "disarmament" conference also stressed on October 28 that the Soviet Union "attaches great importance" to the talks.[4]

Following the conclusion of the "partial nuclear test ban treaty"[5] and the "nuclear non-proliferation treaty,"[6] the U.S.-Soviet talks on so-called "strategic arms limitation" are aimed at further developing their nuclear military alliance. They vainly hope to maintain their nuclear monopoly and carry out nuclear blackmail and nuclear threats against the Chinese people and the people of the world. Nixon blatantly told a press conference on March 14 this year that U.S.-Soviet nuclear talks were designed to jointly cope with what he called the "potential Chinese Communist threat."[7] Rogers also said on October 25 that it would be to the "advantage" of both the United States and the Soviet Union if an agreement was reached on "strategic arms limitation." He openly stated that "if we can work out something that is constructive from the standpoint of the two superpowers then we can deal with China's problem later on."[8] These ravings by Nixon and Rogers have exposed the criminal designs of U.S. imperialism and social-imperialism in conducting the nuclear talks.

Since the conclusion of the "partial nuclear test ban treaty" in 1963, the United States and the Soviet Union have not in the least slackened their nuclear arms expansion and war preparations. On the contrary, they have continually intensified their manufacture, stockpiling and development of nuclear weapons. Since the beginning of 1969, U.S. imperialism has conducted a series of nuclear weapon tests, allocated large sums of money for the trial-manufacture of multi-headed guided missiles and the building of an anti-ballistic missile system. This shows that their so-called "partial nuclear test ban," "nuclear non-proliferation" and "strategic arms limitation," etc., though different in phraseology, are all aimed at hoodwinking the world's people

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[3] Cf. *New York Times*, Oct. 29, 1969, p. 11.
[4] *Ibid.*
[5] *Documents on Disarmament, 1963*, pp. 291–293.
[6] *Ibid., 1968*, pp. 461–465.
[7] *Ante*, p. 101.
[8] *Ante*, pp. 503–504.

and covering up the intensified nuclear arms expansion and war preparations of U.S. imperialism and social-imperialism and their nuclear war threats against the world's people.

Address by Secretary of State Rogers on Strategic Arms Limitation Talks, November 13, 1969 [1]

Next Monday in Helsinki the United States and the Soviet Union will open preliminary talks leading to what could be the most critical negotiations on disarmament ever undertaken. The two most powerful nations on earth will be seeking a way to curb what to date has been an unending competition in the strategic arms race.

The Government of the United States will enter these negotiations with serious purpose and with the hope that we can achieve balanced understandings that will benefit the cause of world peace and security. Yet we begin these negotiations knowing that they are likely to be long and complicated and with the full realization that they may not succeed.

While I will not be able to discuss specific proposals tonight, I thought it might be helpful to outline the general approach of our Government in these talks.

Nearly a quarter of a century ago, when we alone possessed nuclear power, the United States proposed the formation of a United Nations atomic development authority with a world monopoly over all dangerous aspects of nuclear energy.[2] This proposal might well have eliminated for all nations the dangers and burdens of atomic weapons. Unhappily, as we all know, it was rejected.

The implications were obvious. Others intended to develop nuclear weapons on a national basis. The United States then would have to continue its own nuclear program. It would have to look to its own security in a nuclear-armed world. Thus we established a national policy of maintaining nuclear-weapon strength adequate to deter nuclear war by any other nation or nations. It was our hope then, as it is now, to make certain that nuclear weapons would never again be used.

The intervening decades have seen enormous resources devoted to the development of nuclear weapons systems. As both sides expanded their force levels, an action-reaction pattern was established. This pattern was fed by rapid progress in the technology of nuclear weapons and advanced delivery systems. The mere availability of such sophisticated technology made it difficult for either side by itself to refrain from translating that technology into offensive and defensive strategic armaments.

Meanwhile, strategic planners, operating in an atmosphere of secrecy, were obliged to make conservative assumptions, including calculations based on what became known as the "worst case." The

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[1] *Department of State Bulletin*, Dec. 1, 1969, pp. 465–468.
[2] *Documents on Disarmament, 1945–1959*, vol. I, pp. 7–16.

people responsible for planning our strategic security had to take account of the worst assumptions about the other's intentions, the maximum plausible estimate of the other's capabilities and performance, and the lowest plausible performance of our own forces. The Soviets no doubt did the same.

Under these circumstances it was difficult during these many years for either side to conclude that it had sufficient levels of destructive power.

Capacity for Mutual Destruction

Yet that point in time has now clearly been reached. As absolute levels of nuclear power and delivery capability increased, a situation developed in which both the United States and the Soviet Union could effectively destroy the society of the other, regardless of which one struck first.

There are helpful mutual restraints in such a situation. Sane national leaders do not initiate strategic nuclear war and thus commit their people to national suicide. Also, they must be careful not to precipitate a conflict that could easily escalate into nuclear war. They have to take elaborate precautions against accidental release of a nuclear weapon, which might bring on a nuclear holocaust.

In brief, the nuclear deterrent, dangerous though it is, has worked.

The present situation—in which both the United States and the Soviet Union could effectively destroy the other regardless of which struck first—radically weakens the rationale for continuing the arms race.

Competitive accumulation of more sophisticated weapons would not add to the basic security of either side. Militarily, it probably would produce little or no net advantage. Economically, it would divert resources needed elsewhere. Politically, it would perpetuate the tensions and fears that are the social fallout of the nuclear arms race.

So a capacity for mutual destruction leads to a mutual interest in putting a stop to the strategic nuclear arms race.

Nonetheless, technology advances remorselessly. It offers new opportunities to both sides to add to their offensive and defensive strategic systems. Both sides find it difficult to reject these opportunities in an atmosphere of rivalry and in the absence of a verifiable agreement. It raises temptations to seek strategic advantages. Yet, now such advantages cannot be hidden for long, and both sides will certainly take whatever countermeasures are necessary to preserve their retaliatory capability.

This is the situation in which the two sides now find themselves. Where national security interests may have operated in the past to stimulate the strategic arms race, those same national security interests may now operate to stop or slow down the race. The question to be faced in the strategic arms talks is whether societies with the advanced intellect to develop these awesome weapons of mass destruction have the combined wisdom to control and curtail them.

Confidence-Building Preliminary Steps

In point of fact, we have already had some successes in preliminary limitations:

—We have a treaty banning military activities in Antarctica.[3]
—We have a treaty banning the orbiting of weapons of mass destruction in outer space and prohibiting the establishment of military installations on the moon or other celestial bodies.[4]
—We have reached agreement with the Soviet Union on the text of a treaty forbidding the emplacement of weapons of mass destruction on the ocean floors, about to be considered at the United Nations General Assembly.[5]

These are agreements not to arm environments previously inaccessible to weapons. Manifestly, there are fewer obstacles to such agreements than there are to agreements controlling weapons already deployed or under development.

But even in already "contaminated" environments there have been two important control agreements:

—We have negotiated and ratified a Test Ban Treaty prohibiting the testing of nuclear weapons in the atmosphere, under water, and in outer space.[6]
—We have negotiated, and are prepared at any time to ratify simultaneously with the Soviet Union, a Nuclear Nonproliferation Treaty.[7]

It should be pointed out, though, that the main objective of a Nuclear Nonproliferation Treaty is to prevent nonnuclear powers from acquiring atomic weapons. The treaty does not restrain any of the present nuclear powers from further development of their capabilities. The nonnuclear countries therefore tend to look upon the treaty essentially as a self-denying ordinance.

Accordingly, during the negotiations they insisted upon assurances that the nuclear powers would seriously pursue strategic arms negotiations. We concurred and incorporated a paragraph in the treaty which would require us to do so. I mention this to underscore two points:

—First, that the disarmament agreements previously concluded have widely been regarded as confidence-building preliminary steps which hopefully might lead to more meaningful agreements on strategic arms.
—Second, when the United States and the Soviet Union ratify the NPT, they will agree to undertake negotiations in good faith for a cessation of the nuclear arms race.

However, given the complexity of the strategic situation, the vital national interests involved, and the traditional impulses to seek pro-

[3] *Ibid.*, vol. II, pp. 1550–1556.
[4] *Ibid., 1967*, pp. 38–43.
[5] *Ante*, pp. 507–509.
[6] *Documents on Disarmament, 1963*, pp. 291–293.
[7] *Ibid., 1968*, pp. 461–465.

tection in military strength, it is easy to be cynical about the prospects for the talks into which we are about to enter.

Nonetheless, some basis for hope exists.

First is the fact that the talks are being held at all. The diplomatic exchanges leading up to these talks were responsible in nature. And the talks themselves will require discussion of military matters by both sides in which the veil of secrecy will have to be, if not lifted, at least refashioned. These factors lead us to the hope that the talks are being entered into seriously.

Second is the matter of timing. Previous disparity in nuclear strength has been succeeded by the situation of sufficiency, of which I have already spoken. And because this condition will continue for the foreseeable future, the time, then, seems to be propitious for considering how to curb the race in which neither side in all likelihood can gain meaningful advantage.

Third is a mutuality of interest. Under present circumstances an equitable limitation on strategic nuclear weapons would strengthen the national security of both sides. If this is mutually perceived—if both sides conduct these talks in the light of that perception—the talks may accomplish an historic breakthrough in the pattern of confrontation that has characterized the postwar world.

May I pause to point out again that I do not wish to predict that the talks will be easy or that progress is imminent or, for that matter, likely. Mutuality of interest for states accustomed to rivalry is difficult to perceive. Traditions are powerful. Temptations to seek advantage run strong. Developments in other areas are bound to have an impact on these discussions.

Both parties will approach the talks with great caution. The United States and the Soviet Union are entirely capable of protecting their vital interests and can be counted upon to do so. So there is little chance that either side would accept an outcome that leads to its net national disadvantage. In our case, also we would not agree to anything adversely affecting the national interests of our allies, who will continue to be consulted as the talks develop.

On the other hand we must also recognize that a prime technique of international politics, as of other politics, is talk. If these talks are serious, they can lead to better understanding on both sides of the rationales behind strategic weapons decisions. This in itself might provide a climate in which to avoid compulsive decisions.

Talks need not necessarily call for an explicit agreement at any particular stage. Whether we can slow down, stop, or eventually throw the arms race into reverse, remains to be seen.

It also remains to be seen whether this be by a formal treaty or treaties, by a series of agreements, by parallel action, or by a convergence of viewpoints resulting from a better understanding of respective positions.

What counts at this point is that a dialogue is beginning about the management of the strategic relations of the two superpowers on a better, safer, cheaper basis than uncontrolled acquisition of still more weapons.

U.S. Objectives

The United States approaches the talks as an opportunity to rest our security on what I would call a balanced strategy.

In pursuit of this balanced strategy of security we will enter the Helsinki talks with three objectives:

—To enhance international security by maintaining a stable U.S.-Soviet strategic relationship through limitations on the deployment of strategic armaments.

—To halt the upward spiral of strategic arms and avoid the tensions, uncertainties, and costs of an unrestrained continuation of the strategic arms race.

—To reduce the risk of an outbreak of nuclear war through a dialogue about issues arising from the strategic situation.

Some say that there will be risks in such a process. But it is easy to focus too much on the risks that would accompany such a new environment and too little on the risks of the one in which we now live. Certainly, such risks are minimal compared to the benefits for mankind which would flow from success. I am confident that this country will not let down its guard, lose its alertness, or fail to maintain adequate programs to protect against a collapse or evasion of any strategic arms agreement. No delegation to any disarmament negotiation has ever been better prepared or better qualified than the United States delegation. The risks in seeking an agreement seem to be manageable, insurable, and reasonable ones to run. They seem less dangerous than the risks of open-ended arms competition—risks about which we perhaps have become somewhat callous.

I have mentioned the rewards of progress in terms of international security, world order, and improved opportunities for replacing a stalemated confrontation with a process of negotiation.

But there are also other stakes in these talks that come closer to home. On both sides of this strategic arms race there are urgent needs for resources to meet pressing domestic needs. Strategic weapons cannot solve the problems of how we live at home or how we live in the world in this last third of the 20th century. The Soviet Union, which devotes a much larger proportion of its national resources to armaments than do we, must see this as well.

Who knows the rewards if we succeed in diverting the energy, time, and attention—the manpower and brainpower—devoted to ever more sophisticated weapons to other and more worthwhile purposes?

Speaking before the United Nations General Assembly 2 months ago, President Nixon said that he hoped the strategic arms talks would begin soon because "There is no more important task before us." And he added that we must "make a determined effort not only to limit the buildup of strategic arms but to reverse it."[8]

Just last week President Podgorny of the Soviet Union said: "A positive outcome of the talks would undoubtedly help improve Soviet-

[8] *Ante*, p. 454.

American relations and preserve and strengthen the peace." [9] To that I say "Amen."

He added that: "The Soviet Union is striving to achieve precisely such results." Well, so are we; and in this we have the support of the military services, of the Congress, and of the American people.

To that end this Government approaches the strategic arms limitations talks in sober and serious determination to do our full part to bring a halt to this unproductive and costly competition in strategic nuclear armaments.

Message From President Nixon to ACDA Director Smith: Preliminary Strategic Arms Limitation Talks, November 17, 1969 [1]

You are embarking upon one of the most momentous negotiations ever entrusted to an American delegation.

I do not mean to belittle the past. The Antarctic Treaty,[2] the Limited Test Ban Treaty,[3] the Outer Space Treaty,[4] and most recently the Non-Proliferation Treaty,[5] which we hope will soon enter into force, were all important steps along the road to international security. Other tasks remain on the agenda of the United Nations and the Conference of the Committee on Disarmament. Today, however, you will begin what all of your fellow citizens in the United States and, I believe, all people throughout the world, profoundly hope will be a sustained effort not only to limit the build-up of strategic forces but to reverse it.

I do not underestimate the difficulty of your task; the nature of modern weapons makes their control an exceedingly complex endeavor. But this very fact increases the importance of your effort.

Nor do I underestimate the suspicion and distrust that must be dispelled if you are to succeed in your assignment.

I am also conscious of the historical fact that wars and crises between nations can arise not simply from the existence of arms but from clashing interests or the ambitious pursuit of unilateral interests. That is why we seek progress toward the solution of the dangerous political issues of our day.

I am nevertheless hopeful that your negotiations with representatives from the Soviet Union will serve to increase mutual security. Such a result is possible if we approach these negotiations recognizing the legitimate security interests on each side.

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[9] *Pravda*, Nov. 7, 1969; *Current Digest of the Soviet Press*, vol. XXI, no. 45 (Dec. 3, 1969), p. 9 (variant translation).

[1] *Department of State Bulletin*, Dec. 15, 1969, pp. 543–544. Mr. Smith read the message at the first Helsinki meeting (Nov. 17).

[2] *Documents on Disarmament, 1945–1959*, vol. II, pp. 1550–1556.

[3] *Ibid., 1963*, pp. 291–293.

[4] *Ibid., 1967*, pp. 38–43.

[5] *Ibid., 1968*, pp. 461–465.

I have stated that for our part we will be guided by the concept of maintaining "sufficiency" in the forces required to protect ourselves and our allies.[6] I recognize that the leaders of the Soviet Union bear similar defense responsibilities. I believe it is possible, however, that we can carry out our respective responsibilities under a mutually acceptable limitation and eventual reduction of our strategic arsenals.

We are prepared to discuss limitations on all offensive and defensive systems, and to reach agreements in which both sides can have confidence. As I stated in my address to the United Nations, we are prepared to deal with the issues seriously, carefully, and puposefully.[7] We seek no unilateral advantage. Nor do we seek arrangements which could be prejudicial to the interests of third parties. We are prepared to engage in bona fide negotiations on concrete issues, avoiding polemics and extraneous matters.

No one can foresee what the outcome of your work will be. I believe your approach to these talks will demonstrate the seriousness of the United States in pursuing a path of equitable accommodation. I am convinced that the limitation of strategic arms is in the mutual interest of our country and the Soviet Union.

Statement by Deputy Foreign Minister Semyonov at the Preliminary Strategic Arms Limitation Talks, November 17, 1969 [1]

Permit me, first of all, to express our sincere gratitude to Mr. Karjalainen, Minister of Foreign Affairs, for his warm welcome and wishes for success in our work.

The Government of the U.S.S.R. attaches great importance to the negotiations on curbing the strategic-arms race. Their positive results would undoubtedly contribute both to improvement in Soviet-American relations and in the consolidation of universal peace.

Unswervingly guided by the principles of insuring lasting peace and international security laid down by V.I. Lenin as the basis of the foreign policy of the Soviet state, the Soviet Union has always been a proponent of the implementation of the principles of peaceful coexistence, of effective measures to end the arms race and of general and complete disarmament. The Soviet moves aimed at this goal are widely supported by peace-loving states and peoples.

It is our desire to see this meeting in Helsinki successfully solving its tasks.

Curbing of the strategic arms race, limitation and subsequent reduction of such armaments—this is an important goal, the achievement of which would meet the vital interests not only of the Soviet and American peoples but also of other nations of the world.

Given genuine desire on both sides to seek mutually acceptable agreement without prejudice to the security of our states and all other

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[6] *Ante*, pp. 32–33.
[7] *Ante*, p. 454.
[1] *New York Times*, Nov. 18, 1969, p. 16.

countries, it is possible and imperative to overcome obvious complexities and obstacles and to bring about reasonable solutions.

Gratitude to Finland

As regards the Soviet delegation, our efforts at the talks will be directed toward this very end.

On behalf of the Soviet delegation we extend greetings to Mr. Smith, chairman of the United States delegation, to all its members and staff. We are hopeful that an exchange of views between us will develop in a constructive manner and create the necessary foundation for further negotiations.

In conclusion may I, on behalf of the Soviet Government express our appreciation to the Government of Finland for providing opportunity to hold this meeting in Helsinki. We regard it as an expression not only of the traditional Finnish hospitality but also of the active peace-loving foreign policy of the Government of Finland which has won respect throughout the world.

Statement by the United States Representative (Yost) to the First Committee of the General Assembly, November 17, 1969 [1]

We are deeply honoured by the presence of the Secretary-General at this opening of our annual debate on the question of disarmament. Also, Mr. Chairman, I should like to say that we welcome the important statement you have just made and shall examine it with great attention.

Many of the representatives here may remember that when Bernard Baruch presented to the United Nations twenty-three years ago the United States proposal for an international atomic development authority, in order to ensure the exclusively peaceful use of nuclear power, he opened his statement by saying: "We are here to make a choice between the quick and the dead." [2]

So much has been said through the years on the control of nuclear and other weapons that a danger exists of our minds being dulled to its real significance, to its overriding necessity. Let us hope and pray that that will not happen, because this is truly one of the questions on which all our lives depend.

Although for essential practical reasons the main negotiating forum on disarmament questions is elsewhere, the General Assembly has important powers and responsibilities concerning this subject, deriving from the Charter itself. In the exercise of these powers it is customary for the Assembly, through this Committee, to debate every year the issues and principles that must govern the continuing search for effective measures of arms control. In past years our debates here have given rise to resolutions of great value in guiding the negotiators of

[1] A/C.1/PV.1691, pp. 7–25.
[2] *Documents on Disarmament, 1945–1959*, vol. I, p. 7.

such major agreements as the partial nuclear test ban Treaty,[3] the outer space Treaty,[4] and the Treaty on the Non-Proliferation of Nuclear Weapons.[5]

I mention those well-known facts only to stress how serious these debates are and how essential it is that we never view them as a matter of routine.

This year we meet at a time when both the need and the opportunity for progress in arms control are greater than they have been for some time. The variety and breadth of activity currently under way in the disarmament field and related areas should be heartening to all of us who believe that armaments, nuclear and non-nuclear, must be made subject to effective control. New opportunities exist to take significant steps toward that goal.

The favourable developments to which I refer are, in brief, the following:

On this very day, as you, Mr. Chairman, have pointed out, bilateral talks are opening between the United States and the Soviet Union on limiting strategic armaments.

The prospects are now favourable for early entry into force of the Treaty on the Non-Proliferation of Nuclear Weapons.

A regional organization has been established, in accordance with the Treaty on the Prohibition of Nuclear Weapons in Latin America,[6] to help ensure compliance with that Treaty.

Significant work is continuing at the Geneva Conference of the Committee on Disarmament on controlling chemical and biological weapons.

A draft treaty to prohibit emplacement of weapons of mass destruction on the sea-bed has been developed at the Conference of the Committee on Disarmament and presented to the General Assembly for discussion.[7]

The Conference of the Committee on Disarmament has been enlarged by eight countries whose participation will, we are confident, contribute to maintaining it as a vital forum for disarmament negotiations.

Practical ideas are being elaborated on the international exchange of seismic data in order to gain increased understanding of the seismic characteristics of underground nuclear explosions, and thus to advance the search for a comprehensive nuclear test ban.

In a related area not directly of a disarmament nature, intensive work is under way in the International Atomic Energy Agency on problems relating to the peaceful uses of nuclear energy, particularly those matters which were addressed by the non-nuclear Conference of 1968.

I should like to discuss each of those areas of progress.

As we are all aware, the United States and the Soviet Union have begun today in Helsinki one of the most serious and important negotiations ever undertaken in the field of arms control and disarmament.

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[3] *Ibid., 1963*, pp. 291–293.
[4] *Ibid., 1967*, pp. 38–43.
[5] *Ibid., 1968*, pp. 461–465.
[6] *Ibid., 1967*, pp. 69 ff.
[7] *Ante*, pp. 507–509.

Those negotiations will be for the purpose of curbing the strategic arms race, and they will include consideration of both offensive and defensive strategic weapons.

The importance of those negotiations can hardly be over-estimated. Their subject is the most powerful, the most devastating, and the most expensive weapons ever devised and manufactured. They will involve the vital security interests of both participants.

As evidence of the great seriousness with which my Government approaches these talks, I wish to quote briefly at this point from the message which President Nixon has addressed today to the United States delegation in Helsinki:

> You are embarking upon one of the most momentous negotiations ever entrusted to an American delegation . . . You will begin what all of your fellow citizens in the United States and, I believe, all people throughout the world, profoundly hope will be a sustained effort not only to limit the build-up of strategic forces but to reverse it.
>
> I do not underestimate the difficulty of your task . . . I am nevertheless hopeful that your negotiations with representatives from the Soviet Union will serve to increase mutual security.
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> I have stated that for our part we will be guided by the concept of maintaining 'sufficiency' in the forces required to protect ourselves and our allies. I recognize that the leaders of the Soviet Union bear similar defence responsibilities. I believe it is possible, however, that we can carry out our respective responsibilities under a mutually acceptable limitation and eventual reduction of our strategic arsenals.[8]

To that quotation from President Nixon let me add the following statement made last Thursday by our Secretary of State, Mr. Rogers, in a speech discussing the significance of the Helsinki talks:

> Under present circumstances an equitable limitation on strategic nuclear weapons would strengthen the national security of both sides. If this is mutually perceived—if both sides conduct these talks in the light of that perception—the talks may accomplish an historic breakthrough in the pattern of confrontation that has characterized the postwar world.[9]

Those statements testify to the extraordinary importance which my country attaches to the talks that opened today in Helsinki. We are encouraged to hope and believe that our Soviet counterparts also approach this task with great seriousness of purpose, and are prepared, as we are, to be reasonable and flexible in dealing with the profound complexities of this problem. We would be unwise to expect quick results but we must be patient and persistent, determined and indefatigable. Neither participant, in its own interest and that of the world community, can permit itself to fail.

Whatever the difficulties, the effort is supremely worthwhile. This is true not only because of the inherent value of strategic arms limitation itself. It is true also because progress on this central problem can provide impetus in other arms control areas as well. In particular, it might well exert a favourable impact on the negotiations for a comprehensive test ban. It could also improve the outlook for an agreement to cut off the production of weapons-grade fissionable materials and to transfer some of the existing stockpiles of those materials to peaceful uses.

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[8] *Ante*, pp. 535–536.
[9] *Ante*, p. 533.

I should now like to review where we stand with respect to multilateral international agreements, beginning with the non-proliferation treaty, and then turning to other projects that have been the subject of consideration at the Conference of the Committee on Disarmament.

The outstanding achievement of the Geneva Disarmament talks so far was the negotiation of the Treaty on the Non-Proliferation of Nuclear Weapons.

The principal purpose of that treaty is, of course, to arrest the spread of nuclear weapons among the nations and thus to lessen the risk that the world will ever suffer the catastrophe of nuclear war. It has, however, additional major purposes. Many members of the Committee on Disarmament, as the current report of the body of this Assembly shows,[10] have expressed the conviction that the treaty's entry into force will stimulate progress in negotiation of effective measures relating to cessation of the nuclear arms race and to nuclear disarmament. The treaty will also serve the purpose of facilitating the worldwide dissemination of nuclear technology for peaceful uses.

As the Committee will recall, the Treaty on the Non-Proliferation of Nuclear Weapons was overwhelmingly commended by the General Assembly in June of last year and opened for signature on 1 July 1968. To enter into force, the treaty must be ratified by the three nuclear-weapon parties and forty other States. Thus far it has been signed by ninety-one countries, twenty-two of which have deposited their instruments of ratification. We are especially heartened by the prospect that several important additional countries are expected to sign the treaty in the near future. My Government has been discussing for some time with the Soviet Union the question of depositing our own instruments of ratification jointly and simultaneously, an act that would be symbolic of the mutual understanding which made the Treaty on the Non-Proliferation of Nuclear Weapons possible. We hope this may soon occur. As more and more signatory nations complete their ratifications there is good reason to believe that the Treaty on the Non-Proliferation of Nuclear Weapons will enter into force in the rather near future.

The Treaty on the Non-Proliferation of Nuclear Weapons is without doubt a major step in the history of disarmament. Even in advance of its entry into force, the steps toward that goal—its negotiation, its endorsement by the General Assembly, and the signatures and ratifications already received—have done much to create favourable conditions and a favourable atmosphere for progress on other aspects of disarmament. Certainly Article VI of the treaty weighed substantially in the decision of the United States and the Soviet Union to initiate strategic arms limitation talks. In addition, several of the problems involved in negotiating a sea-bed arms control treaty were materially simplified by the fact that similar problems had been faced and successfully resolved during the negotiation of the Treaty on the Non-Proliferation of Nuclear Weapons.

I turn now briefly to three sub-items on the agenda of this Committee which had their origins in the Conference of Non-Nuclear-Weapon States. These are the Secretary-General's Report on the im-

[10] *Ante*, pp. 517–526.

plementation of the results of the Conference, his report dealing with the provision of peaceful nuclear explosion services through the International Atomic Energy Agency, and the experts' report on the role nuclear technology can play in the advancement of developing countries. Many of the resolutions that were adopted by the Non-Nuclear Conference reflected the natural desire on the part of non-nuclear-weapon States to be assured of continuing access to the benefits from this promising new technology, and provided helpful guidelines to be kept in mind in the years ahead.

We have been impressed over the past year by the efforts of the Secretary-General and the International Atomic Energy Agency to be responsive to many of the Non-Nuclear Conference recommendations, and we wish to commend the quality of the reports now before us. The International Atomic Energy Agency now has underway an intensive re-examination of the composition of its Board of Governors in order to make that body more representative. The Agency has produced a thoughtful summary of many of its activities which are directly relevant to the views expressed at the Non-Nuclear Conference. With the full participation of all interested member States, the International Atomic Energy Agency has gone a long way in defining its prospective responsibilities in the field of peaceful nuclear explosions.

The tasks that lie ahead in the field of peaceful uses of nuclear energy are not easy and will not be quickly finished. However, substantial progress is being made. We believe that the activity of the past year has borne out our assertion in the twenty-third session of the General Assembly that the recommendations of the non-nuclear Conference can be carried out more effectively by working through existing bodies than by creating new mechanisms. We continue to believe firmly that this is the case. The United States will devote its best energies to future efforts in this complex and demanding field.

During the past year, there has been a marked increase in proposals to limit chemical and biological weapons. At the last session of the Conference of the Committee on Disarmament there was much thoughtful discussion of this subject. Several proposals have been introduced which seek to reduce the likelihood that chemical and biological weapons will ever be used. The most detailed and carefully thought-out of these measures is a draft convention introduced in the Conference in Geneva by the United Kingdom to control not only the use, but also the development, production, and stockpiling of biological weapons.[11] In addition, during the present General Assembly, a draft chemical and bacteriological weapons Convention was introduced by the Foreign Minister of the Soviet Union.[12]

An extremely valuable contribution to this subject is the report of the Consultant Experts to the Secretary-General on chemical and biological weapons, which was transmitted on 30 June [1 July] 1969.[13] That report indeed makes clear the need for the Conference of the Committee on Disarmament to conduct a detailed and comprehensive examination of all the arms-control proposals for chemical and bacteriological weapons.

[11] *Ante*, pp. 431–433.
[12] *Ante*, pp. 455–457
[13] *Ante*, pp. 264–298.

As President Nixon indicated in his address before the United Nations General Assembly, on 18 September 1969, the United States supports the development by the Conference of the Committee on Disarmament, for consideration in this Assembly of arms-control initiatives in the chemical-biological field.[14] On several occasions the United States has reiterated its support for the principles and objectives of the 1925 Geneva Protocol.[15] We share the concern of our fellow Members of the United Nations over the dangers of uncontrolled development and possible use of chemical and biological weapons, and we shall be prepared to work with others in Geneva on any proposals that offer the prospect of reliable arms control in this field. We shall have more to say on this subject later during this debate.

We are gratified by the continuing efforts in Geneva over the past year toward an adequately verified, comprehensive nuclear test ban. President Nixon, in his messages regarding the work of the Eighteen-Nation Disarmament Committee in March and July, stated that the United States supports the conclusion of such a comprehensive test ban, and urged efforts to achieve greater understanding of how compliance with it could be verified.[16] To this end, my Government has taken steps to implement the seismic investigation proposal which our delegation presented in this Committee on 5 December of last year.[17] Seismic recordings of our peaceful nuclear explosion, Project Rulison, on 10 September last, are being analysed in the United States and, we trust, elsewhere. Discussion of those analyses in the relevant technical and scientific forums should contribute to a more complete understanding of seismology and of its potential for identifying underground nuclear explosions.

With the same end in view, my country has welcomed the recent important Canadian initiative regarding a world-wide exchange of seismic data.[18] The United States is prepared to lend its support to the type of exchange envisaged in Canada's proposal and plans to participate to the fullest possible extent.

For some years, the United States has been seeking agreement on a cut-off of the production of fissionable material for use in weapons, and a transfer of agreed amounts of those materials to safeguarded peaceful uses. Last April in Geneva we modified our earlier proposals to provide that inspection under such an agreement would be accomplished solely by the International Atomic Energy Agency.[19] This change was introduced in order to facilitate further negotiation of a broadly acceptable agreement, for which the safeguards provisions of the non-proliferation Treaty would serve as a guide. We remain convinced that such an agreement would be a major contribution to the control of nuclear armaments, and we hope for early progress on it.

The principal achievement at the Conference of the Committee on Disarmament this year has been the development of a draft treaty to

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[14] *Ante*, p. 454.
[15] *Post*, pp. 764–765.
[16] *Ante*, pp. 110, 300–301.
[17] *Documents on Disarmament, 1968*, pp. 769–770.
[18] *Ante*, pp. 418–420.
[19] *Ante*, pp. 159–161.

prevent emplacement of weapons of mass destruction on the sea-bed. The text of that draft treaty appears as annex A of the report of the Conference of the Committee on Disarmament to the General Assembly. To assist in this Committee's consideration of it, let me now review briefly how the draft evolved and why we believe it affords a good basis for achieving a worth-while arms-control measure.

The Conference of the Committee on Disarmament began its intensive consideration of a sea-bed arms-control measure in March. During the succeeding months, detailed discussion took place on all of the principal issues: on the scope of the prohibition, that is the weapons and facilities which should be prohibited; on the area of the sea-bed to which the prohibition should apply; and on the procedures for verification.

There were many different views among members of the Committee, including the delegations of the United States and the Soviet Union. However, it proved possible for these two delegations to resolve their differences, and on 7 October they submitted an agreed draft for the consideration of the Committee.[20] Further intensive discussion took place in the Committee in which members candidly pointed out defects in the draft and made suggestions for improvements.

As a result of those discussions, the two co-authors of the draft presented, on 30 October, a revised draft, containing improvements which had been suggested by the proposals of many members. It is this revised draft of 30 October that now lies before this Committee.[21]

In this statement I do not wish to review in detail every provision of the draft treaty. I would merely like to offer some thoughts on its basic approach.

The principal effect of the treaty would be to prohibit the emplacement of nuclear weapons or weapons of mass destruction on the seabed beyond the maximum contiguous zone. Thus the treaty would have a limited application.

We see the following virtues in this limited approach:

First, the treaty will cover nuclear weapons. It is technically possible for these devastating weapons to be fired from silos or other emplacements under the water. An effective ban on such emplacement would prevent extension of the nuclear arms race into this new dimension. As we know from experience in such matters, prevention before the fact is far easier than removal after the fact.

Second, the treaty will prohibit the only weapons which it might be militarily advantageous to station on the sea-bed. It would be extremely expensive to emplace any weapons on the bottom of the ocean. Only weapons of mass destruction could have enough significance militarily to warrant the expense.

Third, the treaty is simple. Because of the limited scope of its prohibitions, verification can be based on existing rights under international law, including especially the right of observation. Let me interject at this point the following unequivocal assurance: The draft treaty is not intended to affect, and in fact will not affect, any State's position regarding its rights under international law except, of course,

[20] *Ante*, pp. 473–475.
[21] *Ante*, pp. 507–509.

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for the basic prohibitions of article I, which will constitute a new and desirable constraint on the freedom of action of parties to the treaty. A disclaimer clause is included in the draft treaty to make perfectly clear that, except for this constraint, the rights of States, or their recognition or non-recognition of claims of rights, will in no way be prejudiced.

Fourth, the treaty will constitute a step in our continuing efforts to end the nuclear arms race. Another area, representing almost three-fourths of the earth's surface, will be kept free of emplaced nuclear arms, as is the case with Antarctica and outer space.

This last point warrants further comment. We do not urge international agreement on the sea-bed arms control treaty merely because it is simple, or merely because it may be concluded this year rather than next. We urge it because it would vastly extend the area of arms control. By any standard this makes it eminently worth while.

Critics have frankly asked whether the actions this treaty would prohibit are actions that any State ever intends to take. The premise of such questions seems to be that an arms control measure is worth while only if it stops an arms race that has already begun or prevents an arms race which is about to begin. This premise in our view cannot be sustained.

In 1963, the General Assembly adopted a resolution opposing the orbiting of weapons of mass destruction around the earth.[22] This concept was later embodied in the "no bombs in orbit" clause of the Outer Space Treaty of 1967.[23] When those measures were being developed there was no arms race in the sky and nobody knew whether there would ever be one. It was enough that the technical possibility existed. I think that all of us today are glad that we did take steps early, when it was possible to do so, to forestall the risk that weapons of mass destruction might be put into orbit. Who can say that if we had not done so, such weapons would not be even now constantly passing over our heads?

Let me be clear: it is already within our capability to emplace nuclear weapons on the sea-bed, and such action would not be without some military advantages. For example, nuclear weapons emplaced under hundreds of feet of water could constitute a deterrent force which would be difficult for an adversary to eliminate with offensive missiles. Also, such weapons would be relatively far from populated areas. It would be rash indeed to say that, in the absence of an effective treaty prohibition, Powers possessing this capability would not make use of it.

In addition to its value as an arms control measure, this draft treaty will also help to ensure that the vast areas of the sea-bed remain available for peaceful economic exploitation for the benefit of all of mankind. Let no one doubt that a nuclear arms race on the sea-bed could have a profound effect on the prospects for complete and free co-operation in its peaceful exploitation.

I have stressed that the present draft sea-bed treaty constitutes a limited step but one that is worth while. I need scarcely add that

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[22] *Documents on Disarmament, 1963*, p. 538.
[23] *Ibid., 1967*, pp. 38–43.

prospects for further measures of arms control relating to the sea-bed would not be foreclosed by the present draft treaty. On the contrary, the preamble contains a clear affirmation that parties would continue negotiations concerning further measures to exclude the sea-bed from the arms race. Moreover, the text contains a provision calling for a treaty review conference five years after its entry into force. At that time, if not sooner, the parties will be able to assess whether further prohibitions are possible and desirable.

What should be the next step in bringing a sea-bed treaty closer to conclusion? As the United States delegation made clear in Geneva, we expect the draft treaty to be reviewed carefully in this Committee of the General Assembly. The sea-bed Committee is also considering implications of the treaty within that Committee's terms of reference. We do not believe that this draft, as far as it was developed in Geneva, necessarily represents the last work as a treaty ready to receive broad international support. For our part, we shall listen with care and understanding to the comments made here and will be prepared to consider further modifications, if they should seem called for, to meet concerns of the international community.

I have reviewed briefly all of the areas in which important activities are taking place in the field of disarmament. Although there are a number of hopeful signs, we recognize that progress is far from being as rapid as most of us would wish. However, much work that can lead to concrete achievement is in train. We believe that the Conference of the Committee on Disarmament should be asked to continue urgently next year all of its efforts in the fields where more progress might be possible. The Conference of the Committee on Disarmament will of course profit greatly from the guidance established in the deliberations of this Assembly.

The Conference of the Committee on Disarmament has recently been strengthened by the addition of eight new members: Argentina, Hungary, Japan, Mongolia, Morocco, Netherlands, Pakistan, and Yugoslavia. It is particularly gratifying that those countries have begun their participation in the Committee's work. They have already contributed their share of valuable ideas, and we are confident that the Conference of the Committee on Disarmament will derive much benefit from their participation.

Indeed, my Government wishes to pay tribute to all the members of the Committee on Disarmament. I would like to express to them our thanks for their helpful, constructive, patient—and I emphasize patient—efforts to bring about progress in Geneva. Progress is slow but progress must and will come. We look forward to resuming early in 1970, with the utmost seriousness and sense of shared responsibility, the meetings of the Conference of the Committee on Disarmament.

Speaking of 1970, may I take the liberty, in conclusion, of repeating to this Committee a remark I made on this subject in the plenary Assembly last month in regard to preparation for the twenty-fifth anniversary of the United Nations. I said:

> . . . we must pursue with much more energy and realism our common responsibility to check the dangerous and costly arms race. There are now more than enough nuclear weapons in the world to destroy every living thing on earth. No nation can or will disarm unilaterally but prompt, effective and collective

means of checking the arms race, particularly as regards weapons of mass destruction, are long overdue. Nor is the need for disarmament limited to the great Powers and nuclear weapons. All the wars now being fought are being fought with conventional arms; it is the ever-mounting burden of conventional armament which weights on the poorest nations and is one of the most serious impediments to their economic, social and political development.[24]

Let us all then, great Power and small Power, nuclear armed or conventionally armed, take a solemn and a common resolve to mark our twenty-fifth anniversary by substantial agreements to control, limit and reduce the armaments of all of us. By so doing we may indeed, and at last, "take effective collective measures for the prevention and removal of threats to the peace", "promote social progress and better standards of life in larger freedom", "live together in peace with one another as good neighbours", and "save succeeding generations from the scourge of war".

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly, November 17, 1969 [1]

First of all, may I greet the presence at this meeting, as we begin considering items on disarmament, of the distinguished Secretary-General of the United Nations, U Thant. His presence today, as we open our debate on disarmament, is proof of his constant and untiring interest, and that of the United Nations as a whole, in the problems of disarmament.

We also welcome the very important statement you made today, Mr. Chairman, on the occasion of our first meeting devoted to problems of disarmament. This is testimony of your deep and constant interest in the problems that we are beginning to consider today.

This year, the beginning of the consideration of the disarmament items in the First Committee coincides with the tenth anniversary of a decision of the General Assembly, which truly is among the most important decisions of the United Nations during the whole period of its existence. On 20 November 1959, at the initiative of the Soviet Union, supported by many peace-loving States, the General Assembly unanimously adopted a resolution (resolution 1378 (XIV)) declaring that the question of general and complete disarmament was "the most important one facing the world today". It contained an appeal to Governments "to make every effort to achieve a constructive solution of this problem".[2]

In this decision of the General Assembly there was reflected the general understanding and recognition of the fact that at the present time disarmament is the most important problem upon the solution of which the vital interests of all peoples, large and small, hinge, as well as the future of mankind. The solution of that problem is directly linked to the attainment of the main objectives described in the

[24] A/PV.1788 (prov.), p. 21.
[1] A/C.1/PV.1691, pp. 26–47.
[2] *Documents on Disarmament, 1945–1959*, vol. II, p. 1545.

Charter of the United Nations: "to save succeeding generations from the scourge of war", to ensure that peoples will live as friends and good neighbours and unite their efforts for the maintenance of international peace and security.

In recent times tremendous changes have occurred in the world in the military and technological field which have transformed nuclear and rocket weapons into ever-more terrifying and destructive means of waging war. A nuclear rocket conflict, in present conditions, would lead to the death of hundreds of millions of people, the destruction of whole States, the contamination of the earth's environment, the destruction of invaluable treasures of civilization and culture.

A warning about this was contained in the report of the Secretary-General of the United Nations on the consequences of the possible uses of nuclear weapons, prepared by a representative group of scientists and specialists of various States.[3] The scientific and technological revolution, opening up unheard of possibilities for the use of powerful forces of nature in the interests of mankind, can also be directed towards the destruction of people and of treasures accumulated throughout centuries.

In the past ten years there has been an enormous increase in the burden of military expenditures sustained by the workers of many countries. If at the beginning of the 1960s, according to experts, military expenditures in the whole world amounted to about $120,000 million a year, now they have already gone beyond $200,000 million. This astronomical sum is more than three times larger than expenditures for public health in the whole world. The huge military budgets of States are proof of the fact that, in a world where many people suffer from hunger and disease, there is an incredible waste of colossal material resources and means devoted to military ends.

This confirms even more the importance of the problem that we are starting to debate today, the problem of disarmament. Unfortunately, we must note that the key disarmament problems remain unsolved, that the military budgets of States continue to increase rapidly, although many efforts are made at sessions of the General Assembly and in the Disarmament Committee to put an end to and turn back the arms race.

In this connexion we must stress that the continued arms race imposed by imperialism threatens mankind with even more serious consequences. It is difficult or even impossible to foresee the effects upon the life of peoples of the results of a rivalry between rockets and anti-rocket weapons, if such competition is launched by certain circles in the West because of the influence of the well-known military industrial complex. Further perfecting of chemical and bacteriological weapons presents grave dangers. This problem, as was underlined by the head of the Soviet delegation, Foreign Minister Gromyko, in his statement to the Assembly,[4] has become urgent and important in the light of experiments carried out in some countries, as a result of which extremely powerful and destructive chemical and bacteriological substances have been created. Their use could have extremely grievous consequences for mankind. Awareness of the increasing

[3] *Ibid., 1967*, pp. 476 ff.
[4] *Ante*, pp. 457–459.

threat of the use of chemical and bacteriological weapons was an incentive and a stimulus for the adoption of measures that would protect the peoples from such a danger, and strengthen the Geneva Protocol of 1925 prohibiting the use of chemical and bacteriological weapons.[5]

In this connexion some steps have been taken by the General Assembly and the Disarmament Committee, as well as by the group of scientists which, under the direction of the Secretary-General of the United Nations, put together a report on this problem.[6]

In view of the special importance, urgency and ever-greater timeliness of the question of chemical and bacteriological weapons, the Soviet Union, together with a group of other socialist States, submitted to the present twenty-fourth session of the General Assembly an item entitled "Conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons".[7]

In conformity with an agreement reached among the co-sponsors of this item, the delegation of Poland will explain in detail this proposal of the socialist countries.[8] As far as the Soviet delegation is concerned, we intend to make a separate statement on all these questions relating to chemical and bacteriological weapons included in the agenda of this session of the General Assembly as a separate item.[9]

The Soviet Union views disarmament as an effective means for ensuring a system of international security that would exclude the possibility of resorting to force to settle disputes among States. By the very nature of their social system, the Soviet Union and other socialist countries have not and could not have any economic or other interest in the arms race. There is no military-industrial complex in the socialist countries. For the solution of the very great tasks confronting the Soviet people and the peoples of other socialist countries a lasting and long peace is required, a peace without an arms race, without atom bombs and rockets. That is why the great founder of the Soviet State, Vladimir Ilyich Lenin, proclaimed the motto, "Disarmament is the ideal of socialism".

The Soviet Union consistently and firmly has striven to obtain the prohibition and liquidation of nuclear weapons and other means of mass destruction. It is also in favour of partial measures in the field of disarmament, just as it is in favour of general and complete disarmament.

It goes without saying that the solution of the problem of general and complete disarmament presupposes that all States important from the military standpoint, and all nuclear States above all, must be parties to such an agreement. We attach great importance to measures which would slow down the strategic arms race. If we succeeded in stopping this arms race all States—and not only those possessing such weapons—would stand to gain.

As you have already noted, Mr. Chairman, and as has been noted by the representative of the United States, today in Helsinki preliminary consideration of questions relating to negotiations between the

[5] *Post*, pp. 764–765.
[6] *Ante*, pp. 264–298.
[7] *Ante*, pp. 455–457.
[8] *Infra*.
[9] *Post*, pp. 581–587.

Governments of the Soviet Union and the United States pertaining to the slowing down of the strategic arms race has begun. You were quite right, Mr. Chairman, when you said that a positive result of these negotiations would undoubtedly contribute to maintaining and strengthening peace in the world, and would contribute to the end of the nuclear and rocket arms race. The Soviet Union, as was recently publicly and officially stated by leaders of the Soviet State, will endeavour to obtain such results during the Helsinki conversations.

In recent years several measures have been taken in the field of the limitation of the nuclear arms race. As is known, as a result of the efforts of many peace-loving States towards the cessation of the nuclear arms race the first steps have been taken. A few years ago there was concluded the Moscow Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and Under Water.[10] That Treaty to a certain extent limits the possibilities for perfecting nuclear weapons and to a large extent reduces the danger of radioactive contamination of our planet, which is a serious threat to the life and health of people.

The Moscow Treaty was followed by a Treaty on principles governing the activities of States in outer space, which prohibited the stationing of nuclear weapons in orbit around the earth and in outer space, on the moon and on other celestial bodies.[11] We are happy to note that both those Treaties are full-fledged, active, valid international agreements. Finally, we hope that soon the Treaty on the Non-Proliferation of Nuclear Weapons [12] will come into force. That Treaty is a new and important step in the limitation of the nuclear arms race. As was stressed by the Minister for Foreign Affairs of the Soviet Union, Mr. Gromyko, in his statement at this session of the General Assembly on 19 September this year:

> From the point of view of the interests of peace, it is important to ensure that the parties to the non-proliferation Treaty include the widest possible range of States, especially those that possess material and technical facilities for the creation of nuclear weapons or that can relatively easily reach that level.[13]

The Secretary-General of the United Nations, U Thant, in the introduction to a booklet prepared by the Secretariat of the United Nations concerning the Treaty of the Non-Proliferation of Nuclear Weapons, appealed to all States not yet having done so to sign that Treaty. He stressed that he firmly believed that it was in the interests of the whole world community that the Treaty on the Non-Proliferation of Nuclear Weapons enter into force as soon as possible with the universal participation of all States of the world.[14]

The conclusion of the three above-mentioned important Treaties in the field of the limitation of nuclear arms is added proof of the fact that measures in the field of disarmament are possible, that they can be achieved, but for this energetic and consistent efforts on the parts of States and peoples are required. What has been done is but a begin-

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[10] *Documents on Disarmament, 1963*, pp. 291–293.
[11] *Ibid., 1967*, pp. 38–43.
[12] *Ibid., 1968*, pp. 461–465.
[13] *Ante*, p. 458.
[14] U.N. Office of Public Information, *Treaty on the Non-Proliferation of Nuclear Weapons* (New York, 1969), p. 6.

ning. The three Treaties I have mentioned are a starting point for further progress forward towards the solution of the most important problem, nuclear disarmament. It seems essential above all to speak of the problems relating to the solution of that problem.

On the agenda of the Committee on Disarmament there is an item of great importance concerning further effective measures to put an end to the nuclear arms race and to achieve nuclear disarmament. Ever since nuclear weapons were invented, the Soviet Union has been asking that atomic energy be used exclusively for peaceful purposes and that nuclear weapons be outlawed. We continue to adhere to such an approach.

The position of the Soviet Union in the field of nuclear disarmament was, as is well known, set forth in the memorandum of the Government of the Soviet Union, dated 1 July of last year, on some urgent measures to put an end to the arms race and to achieve disarmament.[15] The memorandum declared that the Soviet Union was ready to undertake negotiations concerning the full cessation of the production of nuclear weapons, reduction of the stockpiles of such weapons and the subsequent complete prohibition and liquidation of nuclear weapons with corresponding international control. The Soviet Government asked all other nuclear Powers immediately to start such negotiations. The Soviet Union was guided by the fact that during such negotiations agreement could be reached on all measures which would lead to the destruction of nuclear weapons as well as on some of them directed towards the same goal. The Soviet Union continues to be ready to discuss these extremely important questions with representatives of other States, and first of all nuclear States. We are also ready at the present time to agree to partial measures leading towards full nuclear disarmament and immediately to work out and conclude necessary international agreements to that end. It goes without saying that radical steps in the field of nuclear disarmament are possible if they are carried out by all nuclear Powers and not by only some of them.

One of the measures for slowing down or restricting the scope of the nuclear arms race, which was discussed actively this year in the Conference of the Committee on Disarmament, was the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof. Discussion of this problem in the disarmament Committee was fruitful and constructive. It showed that there was wide understanding of the importance and timeliness of this task of excluding wide reaches of the sea-bed from the sphere of the arms race. This is especially timely today when practical exploration of the sea-bed has begun and when the threat looms that this new environment for human activity could be used for military purposes.

Many delegations in the Conference of the Committee on Disarmament noted that if effective measures are not taken in time now, in the future it will be much more difficult to take them. The representative of the United States also drew attention to this fact today. It is easy to imagine what would happen if no obstacles were created to the extension of military activities to the sea-bed and the ocean floor,

[15] *Documents on Disarmament, 1968*, pp. 466–470.

which represent about five-sevenths of the earth's surface. This would mean that the international situation and military activities would be even more tense. Even leaving aside the political importance of this fact or the influence which it would have on the state of international relations, one will easily understand that the possibilities of military conflicts arising would be multiplied. The emplacement of military objects on the sea-bed and the ocean floor by many competing States would greatly expand the areas of military propinquity between them and even the possibility of unpremeditated clashes, every one of which would be able to cause a chain reaction and trigger a global conflict.

The emplacement of weapons of mass destruction on the sea-bed would be dangerous also because accidents are possible whose consequences would be catastrophic for mankind. An accident with nuclear weapons in the ocean could lead to radioactive contamination of wide areas of water. Sea currents would carry the contaminated water far from the place of the accident and marine resources used by man would become contaminated and dangerous for him. An accident with another type of weapon of mass destruction—chemical or bacteriological—would entail consequences just as serious.

The military utilization of the sea-bed and the ocean floor is not yet fully developed, but in the near future the situation can change, and our task now is not to let the moment go by, but to see to it that the arms race is not extended to this wide area of our planet. It is easier to prevent that which has not begun than to stop that which is already being carried out. This is the task and the objective of the draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and in the subsoil thereof, a draft which has been presented to the General Assembly by the Conference of the Committee on Disarmament.[16]

What are the main elements of this draft treaty? Its essence, the main obligations of parties to the treaty, is described in article I, which provides for the prohibition of the emplacement on the sea-bed and the ocean floor and in the subsoil thereof "of any objects with nuclear weapons or any other types of weapons of mass destruction, as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons". Thus the draft provides, first of all, for the solution of the most important part of the problem of demilitarizing the sea-bed—in other words, the prohibition of the emplacement of the most dangerous types of weapons there. Therefore, in our view, the most important part of the problem is solved; an important step is taken towards the complete exclusion of the sea-bed from the area of the arms race.

Furthermore—and we attach great importance to this—the preamble of the draft treaty contains a provision which declares that the States Parties are convinced "that this Treaty constitutes a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race" and proclaims that they are "determined to continue negotiations concerning further measures leading to this end".

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[16] *Ante*, pp. 507–509.

For its part, the Soviet Union is always ready to carry out this important provision of the draft treaty.

Another important provision of the draft treaty on the sea-bed is the definition of the scope of this activity. From the very beginning of negotiations on the draft treaty the Soviet Union considered that it should apply to the whole area of the sea-bed and the ocean floor beyond the twelve-mile coastal zone, it being understood that most coastal States have territorial waters in these limits. In the draft treaty on the sea-bed which has been presented to the First Committee it is this twelve-mile zone which is mentioned. It speaks of the maximum contiguous zone provided for in the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone, whose width, according to article 24, para. 2 of the Convention, is twelve miles.[17]

Concerning the principle underlying the definition of the outside limit of the twelve-mile coastal zone, that is provided for in the text of the draft treaty, which asks that relevant provisions of the Geneva Convention of 1958 and international law be applied.

The draft treaty also provides for the prohibition of the emplacement by the States parties of nuclear weapons or other types of weapons of mass destruction in the twelve-mile contiguous zones of other States whose territorial waters have a width less than twelve miles. This is contained in article 1, paragraph 2.

Speaking of the area where this draft treaty would apply, I should like to underline one important peculiarity. When the text was worked out we took into account the fact that the draft treaty, by its very nature and scope, raised problems of interest to many States. At the same time, the objectives of the draft treaty are determined most clearly and concern only the tasks mentioned in its title. For this reason article II, paragraph 2 contains a specific reservation as follows:

> Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts, or to the sea-bed and the ocean floor.

Thus the treaty in no way pretends to establish any new legal norms relating to principles through a definition of the width of territorial waters and so on. It will thus not complicate the solution of problems relating to the activities of States in the peaceful uses of the seas and oceans. On the contrary, having significantly curtailed the possibilities for the military uses of the sea-bed, the treaty creates more propitious conditions for the peaceful uses of that wide area of our planet.

An important component part of the treaty is the provision providing for a system of verification. That problem is rather important since parties to the treaty are interested in being completely convinced that there is absolute respect for all its provisions, that they are truly carried out. The provisions of the draft treaty pertaining to verification and control include the right of verification of States parties to the treaty of the activities of other States parties on the sea-bed and ocean floor and the subsoil thereof beyond the twelve-mile zone if

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[17] 15 UST 1606.

those activities raise doubts concerning the fulfilment of the obligations assumed under the treaty.

The draft treaty provides that verification be carried out without interfering with the activities of States on the sea-bed or otherwise infringing their rights under international law, including the freedom of the high seas. It also provides for consultation and co-operation among the parties in order to eliminate any doubts concerning the fulfilment of treaty obligations. If consultations among the States parties to the treaty do not remove the doubts, they may, in accordance with the United Nations Charter, refer the matter to the Security Council of the United Nations.

When considering the provisions relating to control, the representatives of many countries came out in favour of having the treaty provide for the right to appeal to other parties with a request that they grant assistance in the practical verification of respect for treaty provisions. That is reflected in Article III, paragraph 2 of the draft treaty. Thus the control system provided for the draft treaty ensures the effective verification of the implementation of the treaty and gives all States an equal right to take part in carrying out verification without any obstacles being put in the way of permitted activities on the sea-bed and ocean floor.

When working on the draft treaty on the sea-bed, the representatives of many States expressed the wish that, just as was the case with the Treaty on the Non-Proliferation of Nuclear Weapons, the treaty on the sea-bed would provide for the possibility of examining in the future, at a special conference of States parties, the question of the functioning of the treaty, taking into account the development of technology for the exploration of the sea-bed and ocean floor and the subsoil thereof. That is reflected in Article V of the draft treaty, providing that five years after its entry into force a conference of parties to the treaty shall be held in Geneva in order to review the operation of the treaty with a view to ensuring that the purposes of the preamble and the provisions of the treaty are being realized. Such a review conference may also determine whether an additional review conference shall be convened.

Thus in brief those are the most important provisions of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor. This draft is based on the desire to contribute to the carrying out of the tasks and principles of the United Nations Charter in the field of the activities of States on the sea-bed.

The draft treaty is based on the conviction of the General Assembly that the prohibition of any military uses of the sea-bed and ocean floor is in the interests of the maintenance of peace in the world and that the slowing down of the arms race would contribute to easing international tensions and strengthening confidence among States. The conclusion of such a treaty would be an essential prerequisite for the development of international co-operation and for the exploitation of that environment for peaceful purposes.

We express the hope that the draft treaty presented to the First Committee will have the wide support and approval of the Member States of the United Nations, as a result of which it will soon become

possible to make it available for signature by States which would wish to become parties to it.

The Committee on Disarmament devoted much attention to another measure in the nuclear field, the question of the cessation of all nuclear weapon tests; in other words, completion of the task three-quarters of which was accomplished through the Moscow Treaty on the prohibition of nuclear-weapon tests in three environments.

It is well known that the Soviet Government is ready to agree to a prohibition of underground nuclear weapons tests on the basis of resort to national means of detection for control over that prohibition. Attempts to delay the adoption of a positive decision on the question of the prohibition of underground nuclear weapon tests under the pretext that international control and inspection are required are only an expression of the fact that some countries which carry out intensive programmes of underground nuclear weapon tests still oppose any agreement on this important question. In view of present-day national seismic means of detection, from the practical point of view no country—and the experience of recent years shows this convincingly—can secretly carry out underground nuclear weapons tests without incurring the risk of being accused of violating international agreements.

Only one thing is required for an agreement on the cessation of underground nuclear weapon tests: a political decision to put an end once and for all to such tests.

In connexion with the problem of the prohibition of underground nuclear tests, the question was raised in the Committee on Disarmament of an international exchange of seismic data. The Soviet delegation in the Committee on Disarmament had occasion to expound in detail the position of the Soviet Union on that question, and we deem it appropriate to reaffirm that position here at this session of the General Assembly. The Soviet Union is ready voluntarily to exchange national seismic data with other States parties to the treaty on a complete prohibition of nuclear weapon tests, as well as to take part in an international exchange of such data, including doing so within the framework of the "detection club". We consider that participation in the international exchange of seismic data in no case must impose upon parties to that exchange any obligations concerning international inspections on their territory. The evaluation of the data must be carried out not by an international body but by each State for itself. The Soviet Union considers that the development of contemporary science and technology has reached such a level that it is possible to ensure control through national means of detection over respect for an agreement on the prohibition of underground nuclear weapons tests, which would contain assurances for all States that the agreement was being carried out in good faith.

Of course, if anyone wishes to continue underground nuclear weapon testing, it is possible to place many artificial obstacles in the way of such an agreement, including obstacles of a scientific and technical nature, in order to justify a negative position. The many years of negotiations on the cessation of nuclear weapon tests showed often that that was being done by those who wanted to delay a solution of the problem of nuclear tests. On the other hand, if States are firmly

determined to put an end once and for all to dangerous tests of nuclear weapons underground, every possibility exists for the concluding of an international agreement to that effect and its consistent implementation.

The Soviet Union also supports the establishment of nuclear-free zones in various parts of the world. This is one of the timely measures which must be carried out, as the establishment of denuclearized zones would effectively limit the area of emplacement of nuclear weapons and be fully in consonance with the need to prevent their direct or indirect dissemination.

The Disarmament Committee also examined other questions, including that of chemical and bacteriological weapons. It heard several statements relating to the question of general and complete disarmament.

If one were to draw up a balance-sheet, one would have to say that, despite the fact that the Committee, unfortunately, was not able for the time being to find solutions for the main disarmament problems, there are positive elements in its work, showing a measure of progress towards the solution of various problems, among them the prohibition of the use of the sea-bed and the ocean floor for military purposes, a question which has been debated in the Committee during the various meetings in 1969.

This year the membership of the Disarmament Committee was increased, and now twenty-six States are members. The changes in the membership can be explained by the fact that since the establishment of the Disarmament Committee the number of Member States of the United Nations has increased, and the various problems confronting the Organization have become more complex. Thus it became necessary to increase the number of members of the Committee in order to ensure a more complete and comprehensive study of disarmament problems. While the membership was expanded, efforts were made to maintain the principle which guided the establishment of the Committee in 1961, reflecting the realities of the present-day world, that is to say, equal representation for States of the two main military and political groups, with due representation for non-aligned countries. It was also seen fit to maintain the Disarmament Committee's role as a negotiating body. During the long consultations between the co-Chairmen of the Committee and many States, those principles served as the main criteria for settling the problem of increasing the membership of the Disarmament Committee. As a result of this expansion of the Disarmament Committee, Hungary, Mongolia, Japan, the Netherlands, Argentina, Morocco, Pakistan and Yugoslavia became new members of the Committee.

The work of the enlarged Disarmament Committee has showed that the new participants have made extremely useful contributions to the consideration of disarmament problems. This is borne out by all the discussions on disarmament, especially the consideration of the draft treaty presented by the Soviet Union and the United States to prohibit the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and the subsoil thereof.

In conclusion, allow me to say that the First Committee must develop and consolidate the useful elements of the work of the Disarma-

ment Committee. In our view, that is the task of the Committee. It is a difficult but a noble and realistic one. It can be carried out if the representatives of all countries show good will and if they act in a constructive and responsible manner with the object of strengthening international peace and security. The peoples of the world expect of the General Assembly tangible results in the field of limiting the arms race and practical efforts towards disarmament.

Statement by the Polish Representative (Kulaga) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, November 18, 1969 [1]

Taking the floor in the general debate on disarmament the Polish delegation intends to concentrate today on the question of chemical and bacteriological (biological) weapons, and to introduce, on behalf of the co-sponsors, the draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons, as contained in document A/7655.[2]

Before taking up this subject I should like, however, to make some brief general observations concerning the current state of disarmament negotiations, while reserving my right to elaborate on them at a later stage.

Since the twenty-third session of the General Assembly a number of developments in the field of disarmament have taken place at an increased pace, developments which, in the view of the Polish delegation, could exert a favourable influence upon the future course of disarmament negotiations.

As will be recalled, the Conference of the Committee on Disarmament in Geneva, at its session this year, has accomplished and reported to the General Assembly substantial progress in the form of the draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil thereof.[3] During its session this year the Committee also had a useful exchange of views on other issues before it, particularly the question of an underground test-ban treaty.

Furthermore, on 1 July the Secretary-General submitted his report on Chemical and Bacteriological (Biological) Weapons and the effects of their Possible Use [4] which, as we all know, was prepared with the assistance of qualified consultant experts and in keeping with the terms of General Assembly resolution 2454 A (XXIII).[5] Members of the Committee on Disarmament welcomed and approved both the report and the recommendations of the Secretary-General contained in

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[1] A/C.1/PV.1693, pp. 61–78.
[2] *Ante*, pp. 455–457.
[3] *Ante*, pp. 507–509.
[4] *Ante*, pp. 264–298.
[5] *Documents on Disarmament, 1968*, pp. 793–795.

his Foreword to the Report, which they considered to be a suitable basis for the Committee's work relating to chemical and bacteriological (biological) weapons.

Finally, let me observe that in the intervening period the USSR and the United States reached an agreement to open bilateral strategic arms limitation talks in Helsinki. We have all learned with satisfaction that the talks opened yesterday, and I am sure that in wishing the Helsinki negotiators every success in fulfilling their extremely important task I am expressing a sentiment widely shared in this Committee. The opening of talks on curbing the strategic arms race goes a long way towards meeting the hopes of peoples everywhere. Any progress in these parleys may well become a major factor in easing international tension, representing another important step towards the solution of other problems of nuclear disarmament and contributing to the achievement of general and complete disarmament —the ultimate goal of all disarmament efforts, a goal which has been reaffirmed in article VI of the non-proliferation Treaty.[6]

While taking note with satisfaction of the above-mentioned developments we cannot, on the other hand, lose sight of those elements of the international situation which are hardly conducive to the pursuance of disarmament negotiations. In the Far and Middle East the forces of aggression continue to resort to war and occupation. Neither have the forces opposed to any meaningful disarmament surrendered; they continue dreaming up strategic military scenarios tailored to the specifications of the policy "from the position of strength", a policy which cannot be reconciled with disarmament efforts. The arms race continues unabated and requires exorbitant financial outlays, wasting away vast economic and human resources frozen in arms manufacturing industries. All this adds up to making the problem of disarmament an issue that transcends the framework of military technical considerations, an issue that has come to be regarded as one of the key questions of economic and social development of the contemporary world.

The peculiar nature of the arms race as well as the character of the weapons of mass destruction, particularly dangerous to mankind, compel us to grant absolute priority in the disarmament negotiations to the halting of this arms race, to the reduction and total elimination of those weapons. What is at stake is the reduction and elimination of a threat of war that could be waged with the use of weapons of mass destruction capable of exterminating entire nations as well as destroying man's civilization. At stake, therefore, is the restoration of a sense of security and purpose to individuals and nations by freeing them from that all-pervading sense of threat.

Chemical and bacteriological (biological) agents of warfare represent a particularly inhuman variety of weapons of mass destruction. That is why their use as well as the use of other weapons of mass destruction has been prohibited as a crime against peace and humanity and has come to be regarded by the international community as a gross violation of the generally recognized rules of international law. Desirous of the total elimination of the danger arising from the fact of the mere existence of those weapons, the Governments of Bulgaria,

[6] *Ibid.*, pp. 461–465.

the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics submitted to the General Assembly on 19 September a draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons. It is my privilege to introduce this draft to the Committee on behalf of the co-sponsors. By proposing the adoption of new provisions in addition to those existing, which prohibit the use of chemical and bacteriological (biological) weapons, the draft Convention aims at the complete elimination of these weapons from military arsenals. It represents a continuation of efforts of the Socialist and other countries in search of radical measures relating to those weapons. It is an important step towards general and complete disarmament.

To indicate some of the past initiatives of the Socialist states in the field of chemical and bacteriological (biological) weapons I want to recall first the draft treaty on general and complete disarmament submitted by the USSR at the Conference of the Eighteen-Nation Committee on Disarmament in Geneva on 14 March 1962.[7] The measures envisaged in that draft for the second stage of disarmament included the destruction of stockpiles of chemical and bacteriological weapons and the prohibition of their production.

At the initiative of Hungary the General Assembly on 5 December 1966 adopted resolution 2162 B (XXI)[8] which stressed the importance of the Geneva Protocol of 1925[9] and urged all States which had not yet done so to accede to the Protocol and to abide strictly by its stipulations.

The People's Republic of Mongolia joined the efforts related to chemical and bacteriological (biological) weapons by suggesting within the framework of the Committee on Disarmament in Geneva on 31 July 1969 that the General Assembly appeal to all governments which had not yet done so to accede to or to ratify the Protocol in the course of 1970, the forty-fifth anniversary of the conclusion of that document.[10]

For its part Poland, too, did not spare efforts to contribute to the search for a solution to the question of chemical and bacteriological (biological) weapons. On 30 July 1968 at the Eighteen-Nation Committee on Disarmament the Polish delegation proposed that the Secretary-General be asked to prepare, with the assistance of competent consultant experts, a report on chemical and bacteriological (biological) weapons and the effects of their possible use.[11] Acting on the recommendation of the Eighteen-Nation Committee on Disarmament and on the initiative of Canada, Poland and a number of other States, the General Assembly adopted resolution 2454 A (XXIII) requesting the Secretary-General to prepare such a report.[12] In accordance with the terms of that resolution the report was prepared

[7] *Ibid., 1962*, vol. I, pp. 103–127.
[8] *Ibid., 1966*, pp. 798–799.
[9] *Post*, pp. 764–765.
[10] ENDC/PV.424, pp. 36–37.
[11] ENDC/PV.385, pp. 22–23.
[12] *Documents on Disarmament, 1968*, pp. 793–795.

and issued on 1 July 1969 [13] and was favourably commented upon by the Committee on Disarmament.

In coming forth with its initiative Poland was motivated first and foremost by a desire stemming from the basic premises of its foreign policy, as well as its historical experiences. For the tragic experiences of my nation during the Second World War are still very much alive in the minds of my countrymen. As a result of nazi genocide, when the invader had no hesitation in resorting to the use of poisonous chemical agents to exterminate the inmates of Auschwitz and other death camps, millions of Poles perished.

It was with deep satisfaction that Poland welcomed the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use. We consider that the report, like the earlier report of the Secretary-General on the effects of the possible use of nuclear weapons,[14] will not only help make public opinion aware of the dangers involved in these weapons but, in accordance with the formulation of resolution 2454 (XXIII), will constitute a valuable contribution to the consideration of the problems connected with chemical and bacteriological (biological) weapons. The conclusions of the report confirm the necessity of elaborating a convention along the lines proposed in the nine-Power document.

The report also confirms the classification of chemical and bacteriological agents of warfare as weapons of mass destruction. The report's conclusion in this regard has been arrived at through an analysis of the characteristic features of these weapons and the effects of their use. Two such features stand out. The first is that these weapons do have their deadly effects not only on military personnel but also, and to an even greater degree, on civilians. The second is that chemical and bacteriological (biological) weapons "stand in a class of their own as armaments which exercise their effects solely on living matter".[15]

The dangers inherent in these weapons can be even greater if one bears in mind that their use can conceivably involve the risk not only of vertical escalation, as far as the quantity and toxicity or virulence of agents used are concerned, but also of employing other types of weapons of mass destruction:

> "Once any chemical or bacteriological (biological) weapon has been used in warfare,"—states the report—"there would be a serious risk of escalation, both in the use of more dangerous weapons belonging to the same class and of other weapons of mass destruction." [16]

On the basis of such considerations and classification the authors of the report have reached a conclusion, which has been endorsed by the Secretary-General in his foreword, as to the necessity of taking further steps in the field of chemical and bacteriological (biological) weapons, in particular the prohibition of development, manufacture and stockpiling as well as the total elimination of these weapons from military arsenals. Were those objectives to materialize, concludes the

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[13] *Ante*, pp. 264–298.
[14] *Documents on Disarmament, 1967*, pp. 476 ff.
[15] *Ante*, p. 297.
[16] *Ante*, p. 298.

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report, the prospects for a greater sense of security and peace throughout the world and general and complete disarmament would brighten significantly.

Acting in the spirit of the report's conclusions, Poland submitted a working paper at the Geneva Disarmament Conference on 22 July [17] seeking to underline the significance of the report for the strengthening of the 1925 Geneva Protocol and for further consideration of methods whereby those weapons could be eliminated through a ban on their development, manufacture and stockpiling. Moreover, in its working document Poland laid stress on the need of accepting the recommendations contained in the foreword by the Secretary-General as the proper basis for further negotiations relating to chemical and bacteriological (biological) weapons.

We are deeply convinced that the General Assembly should express its appreciation and gratitude to the Secretary-General, the consultant experts and the members of the Secretariat for their contribution to the preparation of the authoritative and comprehensive report. The Polish delegation for its part is prepared to co-operate in the drafting of an appropriate resolution regarding the Secretary-General's report.

The exchange of views on chemical and bacteriological (biological) weapons so far has revealed the existence of a consensus among States not only as to the need of ensuring a strict and universal observance of the Geneva Protocol but also as to the necessity of taking further steps towards the ultimate elimination of those weapons. As was demonstrated in this year's general debate, that task has been accorded priority by a majority of States. Thus, favourable ground and opportune conditions have been created for an early conclusion of a convention as now proposed by the socialist countries.

The high priority for further measures relating to chemical and bacteriological (biological) weapons is underscored by the extent of the gravity of the dangers inherent in the arms race involving weapons of mass destruction. For it is not only their annihilating power that poses a threat to mankind. The very existence of such weapons, as clearly stated by the Secretary-General in his report, represents a constant threat of the outbreak whether by accident or design of a most devastating conflict. The arms race involving weapons of mass destruction, among them chemical and bacteriological (biological) weapons, cannot but have adverse political, economic and moral effects on the entire international community.

This sense of insecurity breeds international tension while development and stockpiling of chemical and bacteriological (biological) agents in itself fails to impart any proportionate compensatory advantage to security. Ironically, however, the vicious logic of the arms race accounts for the uncanny chain of events whereby the existence of chemical and bacteriological (biological) weapons is being used to justify their proliferation, both "vertical" and "horizontal", which in turn cannot but further aggravate what is already a grave threat to international peace and security. It is precisely with a view to arresting that dangerous spiral that the draft convention now before us has been submitted by its authors.

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[17] *Ante*, pp. 328–329.

The draft proceeds from the premise that the primary objective for States in the field of chemical and bacteriological (biological) weapons should be to ensure the strict and universal observance of the existing prohibition of their use contained in the 1925 Geneva Protocol. The preamble of the draft convention, emphasizing the important significance of the Geneva Protocol as an instrument embodying the generally recognized rules of international law, calls upon all States to comply strictly with those rules. It also makes reference to General Assembly resolutions 2162 B (XXI) and 2454 A (XXIII) which condemn all actions contrary to the said Protocol.

In that the draft convention fully takes into account the conclusions of the Secretary-General's report which states that the Geneva Protocol contributed to the establishment of a "custom and hence a standard of international law" and that "the existence of the Geneva Protocol of 1925 may have helped as a deterrent to the use of chemical or bacteriological (biological) weapons in World War II".[18] The report has therefore confirmed *opinio juris* regarding the universally binding nature of the prohibition of use of chemical and bacteriological (biological) weapons contained in the Geneva Protocol.

The draft convention further proceeds from the premise that chemical and bacteriological weapons should be dealt with jointly, that identical obligations and prohibitions should apply to both those weapons. Thus, article 1 of the draft provides for an undertaking by States Parties to the convention not to "develop, produce, or otherwise acquire or stockpile chemical and bacteriological (biological) weapons" [19] while article 2 incorporates an undertaking by the parties to destroy within an agreed period of time or to divert to peaceful uses all stockpiles of such weapons. Such a joint approach to the chemical and bacteriological (biological) weapons, which has gained wide support in the Committee on Disarmament in Geneva, takes into account the close and direct link existing between chemical and bacteriological (biological) weapons. I am happy to note at this juncture that the representatives of Brazil and Mexico in their statements in this Committee today have expressed similar opinions. This close link accounts for the fact that the two types of weapons are indissolubly associated with each other in the public mind, and that they are dealt with jointly not only in international law but also, and most significantly, in strategic doctrine and army field manuals everywhere. This close relationship stems from the military and technical characteristics of these weapons which, as is well known, constitute one integrated weapon system. The Secretary-General in his report makes an eloquent case for a joint approach to chemical and bacteriological (biological) weapons when he states that:

> All biological processes depend upon chemical or physico-chemical reactions, and what may be regarded today as a biological agent could, tomorrow, as knowledge advances, be treated as chemical.[20]

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[18] *Ante*, p. 269.
[19] *Ante*, p. 455.
[20] *Ante*, pp. 271–272.

It will be perhaps not entirely irrelevant to recall that the same attitude towards chemical and bacteriological weapons was followed in disarmament efforts of the League of Nations. The 1933 Conference for the Reduction and Limitation of Armaments, held under the auspices of the League, produced a draft convention on the Prohibition of Chemical Incendiary and Bacterial Warfare which was approved in first reading.[21] The unfortunate fact that neither that measure, which sought to further elaborate and complement the Geneva Protocol of 1925, nor other disarmament efforts of the League came to fruition due to the determination of certain Powers at the time to follow a policy of intensive armaments rather than of disarmament, does not detract from the value of the cited approach.

I wish to recall, furthermore, that all documents containing the terms of reference for further negotiations in the field of chemical and bacteriological (biological) weapons proceed from the premise of their joint consideration. I mean, first of all, General Assembly resolution 2454 A (XXIII) of 20 December 1968, as well as the agenda of the Committee on Disarmament approved on 15 August 1968[22] and contained in its report to the General Assembly.[23] For all those reasons we do not find any justification for an approach which would depart from the concept of joint consideration of chemical and bacteriological weapons followed in the Geneva Protocol and in subsequent international practice. Uniformity of prohibition of the use of chemical and bacteriological weapons implies the need for introducing, likewise, a uniform prohibition applicable to the entire process preparatory to their use, that is to say, research and development, actual manufacture and stockpiling.

I should like now, in the concluding part of my statement, to examine briefly the main provisions of the draft convention before us. I would stress first that the implementation of the provisions of article 1 would amount to a total prohibition of development, production and stockpiling of chemical and bacteriological (biological) weapons. It would also exclude all possible loopholes by banning the acquisition of chemical and bacteriological (biological) weapons otherwise than by development or production. That indicates that the convention is meant to be an effective instrument for preventing the dissemination of those particular types of weapons. Article 3 envisages additionally an undertaking by States Parties to the convention not to assist, encourage or induce any particular State, group of States or international organizations in any actions pertaining to research and development, production, stockpiling or acquisition in any other manner of chemical and bacteriological (biological) weapons. By proposing to prevent any indirect acquisition of those weapons the wording of article 3 was meant to make the provisions of article 1 fully watertight. That is particularly so in the light of a further provision which

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[21] See pt. IV of the British draft convention of Sept. 18, 1933; Senate Foreign Relations Committee, Subcommittee on Disarmament, *Disarmament and Security: A Collection of Documents, 1919–55* (Com. print, 84th Cong., 2d sess.), pp. 138–141.

[22] *Documents on Disarmament, 1968*, pp. 583–584.

[23] *Ante*, pp. 517–526.

—in article 4—provides that the above obligations apply to the activities of States within and outside their territories.

Secondly, article 2 of the draft convention provides for an undertaking to destroy within an agreed period of time or to divert to peaceful uses all stockpiles of chemical and bacteriological (biological) weapons. That undertaking does not depend on any precondition nor on prior implementation of any other stipulations of the draft convention. Articles 1 and 2 of the draft convention are therefore inseparable and their objective is the elimination of any possibility of the use of chemical and bacteriological (biological) weapons.

Thirdly, appropriate means to ensure compliance by States with their obligations under the convention are also envisaged in the text before us. Article 4 confirms the principle of international responsibility of a State for compliance with the convention by "legal and physical persons exercising their activities in its territory and also by its legal and physical persons outside its territory".

That is not a new concept, as the principle of international responsibility of States for compliance with a prohibition of the use of weapons of mass destruction has been recognized in other international instruments. Furthermore, article 5 of the draft convention provides for the early adoption and enforcement by States in accordance with their constitutional procedures of the necessary legislative and administrative measures pertaining to the prohibition of development, production and stockpiling of chemical and bacteriological (biological) weapons and to their destruction. Because of the importance of its subject matter and the need to enforce compliance with its provisions, the draft convention, like other well-known international instruments of that type, envisages the need of supplementing the international obligations by States parties with corresponding national legislative and administrative measures.

Fourthly, article 6 offers further means of ensuring compliance with the convention's stipulations. It provides for consultations and co-operation of the parties in solving any problems that could conceivably arise in the application of the terms of the convention. This article offers broad possibilities of co-operation among States in the implementation of the obligations under the convention. The draft convention leaves to States parties to the convention the freedom of defining the principles and scope of such consultations and co-operation, depending on the requirements arising in the course of and in connexion with the implementation of the convention.

Fifthly, the draft convention sets no limits on the duration of the obligations provided in it. We feel that this is an approach perfectly in keeping with the character of the weapons in question and the only appropriate approach corresponding to the objective of the convention, namely, the elimination of chemical and bacteriological (biological) weapons from military arsenals once and for all as barbarous weapons of mass destruction.

Sixthly and finally, the final clauses of the text, which are largely patterned upon other similar disarmament treaties concluded recently, give expression to the principle of universality, for only the widest

participation of States in the convention can really make it fully effective.

The arguments which I have advanced indicate that the draft convention submitted jointly in the General Assembly by the socialist States represents a suitable basis for the conclusive consideration of this question by the Committee. Our discussion should lead to the adoption of a convention which would forever eliminate chemical and bacteriological (biological) weapons. Such an instrument would represent an effective disarmament measure within the specific field of weapons so singularly dangerous for man and his future. It would greatly contribute to the cause of general and complete disarmament. At the same time, that measure would certainly not fail to advance the cause of the codification and progressive development of international law. The measures which we now propose to the United Nations would make it possible to divert resources and human ingenuity thus saved to the more worthy purposes of economic and social development and the fight against hunger and disease.

We are confident that the cause of such a convention would be well served if all States refrained from any action in the military, political or legal sphere that could detract from the effectiveness of the existing rules embodied in the Geneva Protocol of 1925 or adversely affect the prospects of the widest possible application of the prohibition of the development, manufacture and stockpiling of those weapons of mass destruction.

We strongly oppose the attempts to justify the chemical and bacteriological (biological) arms race by the requirements of the military-strategic doctrine of mutual deterrence which, in fact, derives from the cold war concept of the balance of fear. We also deplore and firmly oppose the arguments propounded in certain countries to persuade the people to learn to live with chemical and bacteriological weapons just as, years ago, they were urged to learn to live with the nuclear bomb. We are convinced that such designs are contrary to the spirit of General Assembly resolution 2454 A (XXIII), one of the objectives of which is to make the peoples of the world aware of the dangerous consequences to mankind of the use of such weapons and which recommended that the Governments take appropriate measures to acquaint public opinion with all the facts about chemical and bacteriological (biological) weapons.

We consider that the proposed draft convention represents a concrete, realistic and radical measure which could free mankind from the haunting spectre of the weapons "of quiet death", a measure which could eliminate agents of destructive and inhuman warfare whose effects, to use once more the words of the report of the Secretary-General, are both unpredictable and uncontrollable.

In concluding, my delegation would like to appeal to all States on behalf of the delegations co-sponsors of the draft convention to join the efforts aimed at the complete elimination of chemical and bacteriological (biological) weapons from the military arsenals everywhere. I wish to express my firm confidence that our draft will gain the wide support of the members of the First Committee and that it will be acted upon favourably by the General Assembly.

Statement by the Swedish Representative (Myrdal) to the First Committee of the General Assembly, November 20, 1969 [1]

As far as UN action in regard to disarmament is concerned, 1969 bears all signs of becoming but an intermediate year. We must recognize how frustrating are such facts that while on the one hand the nuclear armament race has surged dangerously upwards during the year, proposals for disarmament measures have on the other hand not progressed so much as to yield results in the Committee on Disarmament in Geneva.

Were it not for the SALT negotiations, opening these very days in Helsinki, disappointment might have been the main theme of our deliberations. As it now is, we place faith in the preparedness and the political will of the two main nuclear-weapon Powers to curb the armaments race and begin limiting their strategic nuclear arms. This is, by far, the most important move on which the future of mankind may well hinge.

Meanwhile, this Committee should devote its attention to elaborating mandates for the Conference of the Committee on Disarmament to proceed in a business-like way during its next session in order to finish its work on several specific projects now on its agenda and reported in document A/7741.[2]

In the chapter on disarmament contained in the Introduction to his Annual Report to this Assembly, the Secretary-General of our Organization has set forth in an admirable way the issues confronting us. The Secretary-General has also drawn our attention to the reasons behind the relative lack of success so far in disarmament negotiations. He has listed the promises given in previous resolutions by the General Assembly but still left unfulfilled. In order to speed up the present slow rate of progress, I think we can do no better than follow the very useful recommendations with which the Secretary-General has interspersed his analysis of the situation and respond to the appeal with which he has ended the disarmament part of his Introduction to the Annual Report that we "tackle anew the complicated but not insuperable problems of disarmament".[3]

One important problem in this connexion is, it seems to me, related to what we mean by "priorities". For a number of years highest priority was given to the non-proliferation Treaty,[4] which then became our practically exclusive concern. Still, more than a full year after its acceptance, it has not entered into force. As a matter of fact, the Treaty remains unsigned by a number of States, which are potential nuclear-weapon Powers. Only one of the three nuclear-weapon Powers that signed the Treaty last year has ratified it. This is, of course, the major obstacle to its entering into force. Only one of the so-called "threshold powers" has so far ratified it. My delegation

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[1] A/C.1/PV.1695, pp. 57–80.
[2] *Ante*, pp. 517–526.
[3] General Assembly *Official Records: Twenty-fourth Session, Supplement No. 1A* (A/7601/Add. 1), p. 18.
[4] *Documents on Disarmament, 1968*, pp. 461–465.

hopes, however, that we may soon see a positive turn of events. In this connexion I may inform the Committee that on Friday last I signed the Government bill requesting our Parliament to approve ratification by Sweden of the non-proliferation Treaty.

Discrepancy between priorities stated and results obtained seems to be the rule rather than the exception. One cannot escape the impression that the formal priority afforded the vital disarmament items, for instance in the provisional agenda of the Conference of the Committee on Disarmament, is not being granted them in the real plans and intentions of the Governments of the main Powers. The matter which gives the clearest evidence of this regretful state of affairs is perhaps the test-ban or—to use the full title of the item on our agenda—the urgent need for suspension of nuclear and thermonuclear tests.

Year after year the General Assembly has been passing virtually unanimous resolutions, urging all States which have not done so to adhere to the Partial Test Ban Treaty [5] and also calling upon all nuclear-weapon States to suspend forthwith the tests in all environments and requesting the Disarmament Committee to take up, as a matter of urgency, the elaboration of a treaty regulating a ban on underground weapon tests. The matter has thus been allotted special priority by the Assembly as well as by the Disarmament Committee in Geneva, but evidently only in a formal fashion. The reality has been different. The report of the Committee indicates that several specific proposals were put forward during the past session to overcome the deadlock on this issue which has existed now for six long years. These various suggestions, however, met on the whole with no positive response by the main Powers. Hence, no progress was made during the session.

In spite of this sad situation, we must spare no effort in trying to obtain a comprehensive test ban. Success for the Strategic Arms Limitation Talks would undoubtedly greatly facilitate agreement on a test ban, as the constantly more advanced development of nuclear weapons could then be foregone. If we expect the bilateral talks to yield positive results it is now our duty, through simultaneous work in the United Nations, to elaborate a test ban treaty so that it can stand ready for immediate entry into force.

Even without regard to the prospects of SALT, the comprehensive test ban has an independent value. It is one of the major "locks" on both the vertical and horizontal proliferation of nuclear arms. We must not now underestimate the factors which have led the United Nations and the whole world community at large for well over a decade to attach such importance to the test ban issue. These factors are still largely valid. It may be useful to list them shortly once more.

The factor which was stressed particularly in the past and which is still highly important is the one of health hazards. We all know of the dangers of radio-active fall-out which were indeed a crucial issue before the Partial Test Ban Treaty was concluded in 1963.

That situation has undoubtedly been considerably improved since that time, but nuclear test activity is, however, being carried on in various parts of the globe by those two nuclear-weapon Powers which

[5] *Ibid., 1963,* pp. 291–293.

have not adhered to the Moscow Treaty. Each time they explode a nuclear device in the atmosphere, dangerous radio-activity is spread over very large areas. Also underground tests have led to radio-active leakages in the atmosphere, in several cases drifting outside national territories, for example, over international waters, thus constituting violations of the Moscow Treaty. When radio-active debris related to such leakages have fallen over my country we have reacted, and shall continue to react, by notifying the Government concerned. However insignificant in radio-active yield and however technical in nature these violations have been so far, all signatories of the Moscow Treaty must be alert so as not, by passivity, to seem to condone explosions that result in leakages.

Representatives may be aware of the fact that in recent years scientific research in several countries, including my own, has led to new conclusions concerning the severe danger of radioactive fallout products, particularly strontium 90, but also tritium which is produced by both atomic bombs and so-called relatively "clean" hydrogen bombs. It has been shown scientifically that the incidence of infant mortality in the world has increased in an observable fashion due to effects of these products emanating from nuclear weapon testing.

Another capital reason for insisting on a truly international solution of the test ban problem is the control issue. It is now a generally accepted fact that the solution of the verification problems connected with a ban on underground tests would be greatly facilitated by the establishment of an international exchange of seismic data. To be effective, the data exchange has to be world-wide. Practically all States can play a role in this field and they must be vitally interested in the effectiveness of this means of observation. Valuable suggestions intended to carry forward the preparatory work needed to establish such a data exchange system have been made during this year's session of the Committee on Disarmament. They were introduced in this Committee on Tuesday by the representative of Canada when he presented the draft resolution contained in document A/C.1/L.485.[6] I strongly suggest that the General Assembly endorse this proposal which is intended to carry the preparatory work a step further.

I will mention one additional reason for the continued priority of the comprehensive test ban: the obvious close link between such a treaty and the question of peaceful nuclear explosions. A final international regulation concerning such explosions can only be achieved in connexion with a decision to halt all nuclear explosions for military purposes, as was stated, *inter alia*, by the representative of Mexico in his statement on 18 November.

The time for action on the test ban issue is now. I have already stressed its close connexion with the ongoing bilateral strategic arms limitation talks. These would undoubtedly be greatly facilitated if progress could be made, in a parallel fashion, on the interdependent test ban. The vast improvements during the last years of the scientific and technical situation as far as seismic detection capabilities are concerned constitute a further positive element calling for action now. These improvements in seismic detection methods should be viewed together with the rapid development of so-called earth-

[6] Identical with pt. A of G.A. resolution 2604 (XXIV), *post*, pp. 719–722.

resources satellites, designed to make repetitive observations which would enable man to see and assess all sudden changes in the earth's surface. The sensors being used in these satellites are thus more and more effectively supplementing other techniques for monitoring activities on the ground and underground. Alas, they belong to the national means of the technologically most advanced nations only. All other nations have to stake their reliance on the seismic methods of monitoring possible breaches of a comprehensive test ban.

As is evident from the report of the Conference of the Committee on Disarmament, concrete suggestions were set forth in the Committee during its past session as to possible provisions for a treaty banning underground nuclear weapon tests. The Swedish delegation introduced on 1 April, 1969, a Working Paper containing a complete draft treaty text,[7] and we have stated repeatedly that this draft constitutes only one way of reaching our common objective and that other suggestions might be more effective. In addition I wish to draw particular attention to the ideas which have been presented in the Disarmament Committee by the United Kingdom delegation for so-called phasing-out of nuclear weapon testing, starting with an agreed annual quota of underground test explosions, leading to zero over a small number of years.[8] The adoption of this idea—preferably in some agreement or protocol outside the comprehensive test ban treaty proper—might be useful in order to allow additional time for establishing a smoothly working verification procedure and for experimenting further with peaceful nuclear explosions.

I suggest that the General Assembly in a new resolution on the test ban issue request the Conference of the Committee on Disarmament to elaborate, as a matter of urgency, a treaty banning underground nuclear-weapon tests, taking into account that concrete suggestions have already been made in the Conference of the Committee on Disarmament as well as in this Assembly regarding the contents of such a treaty. In order to emphasize further the importance which the General Assembly attaches to this subject, it might be fitting to request the Conference of the Committee on Disarmament to submit a special report before a fixed date, say 15 July, 1970, in order to give all Member States of the United Nations time for a thorough preparation so that we can get action next year.

I have the honour to introduce a draft resolution to this effect contained in document A/C.1/L.486[9] which is now on the table before delegates. This text is being presented by ten Member States, namely, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Sweden, the United Arab Republic and Yugoslavia. It is a privilege for me to speak on their behalf when commending this draft resolution for adoption by the Committee. I hope that this will be done by virtual unanimity as has been the case with similar resolutions in the past.

I wish to turn now to the subject of chemical and biological weapons. In this field, too, there is an urgent need to curb the present arms race. The possibilities for our taking action in this regard now seem

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[7] *Ante*, pp. 140–142.
[8] *Documents on Disarmament, 1968*, pp. 533–534.
[9] Identical with pt. B of G.A. resolution 2604 (XXIV), *post*, p. 722, except that the original version provided for a CCD report by July 15, 1970.

somewhat brighter than earlier. There is a new and spreading awareness of the threat which chemical and biological warfare poses to mankind. An outstanding contribution to our increased knowledge in this respect has been furnished by the group of experts, convoked by the Secretary-General under resolution 2454 A (XXIII).[10] Their report, together with the foreword by the Secretary-General containing some concrete suggestions as to political action by Member States, constitutes a very valuable basis for our present discussion. Other relevant documents have been submitted by Member States, either individually or acting as a group. I am referring specifically to the draft convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons presented on 19 September by the Soviet Union and eight other delegations to this Assembly.[11] I further refer to the various proposals which were introduced already during the last months in the Committee on Disarmament on this subject and which are covered in the report of that Committee in paragraphs 39–44. Two of these seem of special importance. The first is the draft convention for the prohibition of biological methods of warfare, put forward by the United Kingdom delegation.[12] The second is the working paper which was submitted by twelve members of the Conference of the Committee on Disarmament, including my country, and which contemplates a declaration by the General Assembly in order to confirm the universality and comprehensive nature of the existing prohibition of the use of chemical and biological methods of warfare.[13]

The two draft conventions which I have mentioned refer to the third of three policy recommendations made by the Secretary-General in his introduction to the experts' report, namely, banning the very production of these weapons. On this matter the General Assembly could hardly be expected to make definite decisions this year. More time will surely be needed for detailed negotiations. The two texts should, we think, be referred to the Conference of the Committee on Disarmament with the request to intensify its efforts to reduce the risks raised by the continued development and production of both chemical and biological weapons.

More decisive action could, however, be taken here and now on the other two recommendations by the Secretary-General. The first of these is self-explanatory: to renew the appeal to all States to accede to the Geneva Protocol of 1925.[14] This appeal should certainly be issued by this Assembly as it was done in 1966 [15] and again in 1968 [16] and I hope with greater success. Less than one half of the Member States have so far ratified or acceded to that important international instrument. A substantial increase in this number is urgently called for. The suggestion made by the delegation of Mongolia in the Disarmament Committee that the Assembly should appeal to all Govern-

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[10] *Ante*, pp. 264–298.
[11] *Ante*, pp. 455–457.
[12] *Ante*, pp. 431–433.
[13] *Ante*, pp. 435–436.
[14] *Post*, pp. 764–765.
[15] *Documents on Disarmament, 1966*, pp. 798–799.
[16] *Ibid., 1968*, pp. 793–795.

ments to do this in the course of 1970,[17] being the forty-fifth anniversary of the signing of the Geneva Protocol, should, in the opinion of my delegation, be endorsed here.

In his second recommendation, the Secretary-General suggested that Member States should make "a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future." [18]

It is this recommendation that has been dealt with by the twelve afore-mentioned members of the Disarmament Committee. On 26 August they submitted a working paper regarding a proposed declaration by the General Assembly to this effect. In two statements before the Geneva Committee on 5 August and 26 August respectively I had the opportunity to indicate the reasons underlying this proposal.[19] It might nevertheless be useful to reiterate some of these reasons in this forum.

In the first place it may be stated with confidence that there exists a clear prohibition of the use of biological and chemical means of warfare. It has its deepest roots in bans, some of which are now a century old, against inhuman methods of warfare. I may refer to the 1868 St. Petersburg Declaration, which expressed the fundamental principle of the laws of war that the only legitimate object is to weaken the military forces of the enemy.[20] From this fundamental principle, in the last resort, flows the prohibitions of weapons the effects of which cannot be limited to military forces but which may inflict suffering on civilians and military forces in an indiscriminate manner.

I may refer, further, to the 1874 Brussels Declaration,[21] the 1898 and 1907 Hague Conventions,[22] instruments which are now regarded as expressing customary law and which outlawed asphyxiating or deleterious gases and poisons or poisoned weapons.

Several other treaty instruments have contributed to the establishment of the prohibition of the use of biological and chemical means of warfare, notably, of course, among them the 1925 Geneva Protocol. This prohibition has gradually come to be considered and respected as a generally recognized rule of international law, customary law, binding *erga omnes*. In 1938 the Assembly of the League of Nations reaffirmed categorically, without making any reference to the Geneva Protocol, that "the use of chemical or bacteriological methods in the conduct of war is contrary to international law." [23] I could go on quoting quite a number of official statements to the same effect. Perhaps I may be allowed to cite just two recent ones, from the United States and the Soviet Union respectively. In 1967 the United States Under-Secretary of State, Mr. Macomber, stated in regard to the

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[17] ENDC/PV.424, pp. 36–37.
[18] *Ante*, p. 267.
[19] *Ante*, pp. 387–397, 442 ff.
[20] *British and Foreign State Papers*, vol. 58, pp. 16–17.
[21] *Ibid.*, vol. 65, pp. 1081, 1110–1111.
[22] William M. Malloy, comp., *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers, 1776–1909*, vol. II, pp. 2042, 2052, 2269, 2285–2286.
[23] *Foreign Relations of the United States, 1938*, vol. III, p. 505.

Geneva Protocol that "it is now considered to form part of customary international law". Also the recent proposal by the Soviet Union and other States for a convention recognizes the Geneva Protocol as embodying "the generally recognized rules of international law".[24] With these facts in view, agreement ought to be possible on a declaration affirming the cogent and universal character of the prohibition.

Another reason for taking action now is that in recent years certain queries have been raised, though not from parties to the Geneva Protocol, as to the comprehensive character of the prohibition. If such queries are not authoritatively answered by an affirmation of the comprehensive nature of the prohibition, there is a risk that limitative interpretations may spread and gradually have a destructive influence. It would be tragic indeed if the broad and perfectly valid and rational prohibition, which hardly anyone would have been inclined seriously to question ten years ago, were to be eroded. The consequences of such erosion could prove catastrophic in the future.

My delegation has taken quite some trouble to examine the legislative history of the present prohibition of biological and chemical means of warfare. It is perfectly clear from the records of the 1925 Conference and even more so from those of the League of Nations Disarmament Conference of 1932 and 1933 and its Preparatory Commission that both parties and non-parties to the 1925 Protocol were convinced that the prohibition, which was most recently embodied in that Protocol, and which one tended increasingly to consider as expressive of law valid *erga omnes*, was comprehensive.

The question whether lachrymatory gases, tear gases, were covered was also discussed and resolved in the most explicit manner. In a memorandum submitted to the Preparatory Commission for the 1932 Conference, the United Kingdom delegation took the firm position that the term "other gases" in the Geneva Protocol included lachrymatory gases. The French delegation, which then and now represents the depositary Government, immediately confirmed that the words "*ou similaires*" in the French text had the same meaning.[25] The delegations of Romania, Yugoslavia, Japan, China, Soviet Union, Italy, Canada, Czechoslovakia, Turkey and Spain fully agreed with the United Kingdom position. No delegation rejected this position. The United States made an oral reservation for the use of tear gas in police work;[26] the matter was left to be finally regulated at the Disarmament Conference and the issue was settled at that Conference. In a unanimous report by a Special Committee of the 1932 Conference the prohibition was defined to encompass "lachrymatory, irritant, vesicant" substances. It was further explained to cover "not merely substances harmful to human beings" but "chemical substances in general".[27] These definitions, which, as we have seen from the discussion in the Preparatory Commission, related notably to the Geneva Protocol, were not contradicted by any delegation. I may add that

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[24] *Ante*, p. 455.

[25] For the British and French memoranda, see League of Nations, *Documents of the Preparatory Commission for the Disarmament Conference*, series X, p. 311.

[26] *Ibid.*, p. 312.

[27] League of Nations, Conference for the Reduction and Limitation of Armaments, *Conference Documents*, vol. I, p. 214.

both the United States and the Soviet Union participated in these deliberations.

My delegation submits that the adoption by the General Assembly of a declaration which is of the kind recommended by the Secretary-General on the basis of the experts' report and which would affirm that all existing and future means of chemical and biological means of warfare without exceptions are prohibited, would rest on solid ground.

To sum up: it seems clear to us that not long after the adoption of the Geneva Protocol both parties and non-parties to the Protocol interpreted it to be comprehensive. No party has made any reservations about its scope and it seems highly probable that if a reservation as to the scope of the Protocol was attached to an adherence today, such reservation would meet valid objections. Due to the regrettable fact that in recent years the view has been officially expressed that the use in warfare of tear gas and other harassing agents as well as of herbicides might not be covered by the existing prohibition, it seems necessary that the world community, as represented in this Assembly, takes the step of clarifying and consolidating these prohibitory rules. This is a kind of task with which the General Assembly is familiar, indeed a task expressly laid upon it by the Charter.

The text of such a declaration, which has been presented by twelve of the members of the Committee on Disarmament, should be a useful basis, we think. It draws heavily on the definitions used by the experts in their report, definitions which are entirely in conformity with the interpretation placed upon the prohibition by parties and non-parties in the past. It further confirms that the prohibition forms part of the recognized rules of international law. To be meaningful, such a declaration should, preferably, be adopted by consensus or near-consensus of the Assembly. I am sure, therefore, that the twelve sponsors of the Geneva working paper [28] will be open to constructive suggestions which might increase the prospects for obtaining such a positive result.

I wish now to turn to a third and final and, may I say, briefer subject of my intervention, that of the sea-bed. I need not go deeply into this matter, because in a statement in this Committee on 7 November I set out the general views of my delegation on the issues connected with reserving the sea-bed for peaceful purposes.

In relation to the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof, which has been submitted by the Soviet Union and the United States in the Conference of the Committee on Disarmament [29] and attached to the report of that body, Sweden has already expressed its views in the Geneva Committee. We said then, and we continue to hold the view, that although such an agreement cannot be a substitute for a major disarmament measure, the effective prevention of any nuclear installations on the sea-bed would be an act of forethought and that every step which leads to the stemming of undesirable technological developments is in itself welcome.

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[28] *Ante*, pp. 435–436.
[29] *Ante*, pp. 507–509.

At the same time we, together with the vast majority of other representatives in the Disarmament Committee, expressed our regret at the fact that the main Powers had not been able to agree on a more comprehensive formula. A partial treaty must at least be combined with a pledge to strive towards a comprehensive one; otherwise it risks having the effect of passively legitimizing all activities other than the one explicitly mentioned. The Swedish delegation, therefore, stressed in the deliberations of the Disarmament Committee the necessity for some effective undertaking that negotiations will be continued in order to ensure a more comprehensive demilitarization of the sea-bed in the future.

The present draft treaty contains in its preamble a paragraph to the effect that the parties should continue negotiations concerning further measures leading to "the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race . . ."—and I want to stress the word "race" as indicating something which, to us, seems insufficient. We wish to reintroduce this idea that a similar commitment should be included in the operative part of the treaty, thus constituting a parallel to article VI of the non-proliferation Treaty. The wording of the draft reads as follows:

> Each of the Parties to the Treaty undertakes to continue negotiations in good faith on further measures relating to a more comprehensive prohibition of the use for military purposes of the sea-bed and the ocean floor and the subsoil thereof.[30]

This suggestion was not retained by the delegations of the Soviet Union and the United States when they submitted their revised version of the draft treaty to the Geneva Committee. As we believe this to be a serious omission in the text at present before us, I have wished to introduce our amendment once again. It was supported in Geneva by a substantial majority of the members of the Disarmament Committee, and I hope it will receive further support here.

As we also stated in Geneva, another serious objection to the present draft treaty concerns the verification provisions contained in article III. The delegation of Canada introduced a working paper containing alternative language.[31] These ideas received wide support from the Swedish delegation but, again, were on the whole not incorporated in the revised text of the treaty. As we consider the present version of article III totally inadequate, we sincerely hope that improved language will be agreed upon during our current deliberations.

The whole problem of verification—that is, access to installations as well as possibilities for international co-operation in verification endeavours—has now come into new and much more constructive light after the presentation of the report of the Committee on the sea-bed. The necessity to create an international régime and an international machinery for the sea-bed has been widely acknowledged. Such an international régime could evidently fill a void in regard to the control functions under the treaty now being debated.

Further, we must ensure that the basic principle is firmly endorsed—perhaps in the treaty itself—that the sea-bed and the ocean floor beyond the limits of national jurisdiction constitute the common her-

[30] *Ante*, p. 486.
[31] *Ante*, pp. 481–482.

itage of mankind and that their exploitation should be regulated by an international régime. A move in this direction would relieve the medium and smaller nations of much of the uncertainty with which they now view this partial solution and it would, undoubtedly, increase the possibilities for crowning this session of the General Assembly with a new agreement in the field of disarmament.

In conclusion, I cannot suppress the comment, already eloquently made by the Secretary-General and several delegations, that time is of the essence. The nuclear arms race entails risks and costs out of all proportion to human conditions. The enormous increase in the amounts of technical and financial resources being spent on arms and other military uses epitomizes the total irrationality of the over-all situation. The astronomical figure of $200,000 million for a single year, estimated by the Secretary-General, has been quoted already in this debate. But such estimates, repeated with upward revisions from year to year, seem to have lost that sharp edge by which they could cut into our imagination. They may tell their terrifying lesson more effectively if translated into information about the abnormal use we make of human resources—absorbing for destructive purposes the thousands of research and technical talents which are so desperately needed for solving pressing problems of development and progress for all peoples.

Report of the U.N. Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction [Addendum], November 20, 1969 [1]

3. The Committee heard explanatory statements by the representatives of the Union of Soviet Socialist Republics and the United States of America concerning the draft Treaty in its relation to the Committee's mandate and programme of work.[2] Both delegations called attention to the fact that the draft Treaty contained a disclaimer clause expressly designed to avoid any prejudice to the position of any State party with respect to such law-of-the-sea questions as to the extent of territorial waters or the definition of the continental shelf. Both statements pointed out that the proposed Treaty was still in draft form and that further discussions would be held in the First Committee of the General Assembly, on the report of the Conference of the Committee on Disarmament; one statement indicated that revisions might be forthcoming in the light of these discussions. The statements welcomed an exchange of views in the expectation that the Treaty which finally resulted would materially assist the Committee in the discharge of its responsibilities and would represent a major step forward towards the reservation of the ocean floor exclusively for peaceful purposes, and the utilization of its resources in the interests of mankind; they also stressed the desirability, with this objective in mind, to ensure that a treaty enjoying broad international support would be signed and brought into force as soon as possible.

4. The Committee had a preliminary exchange of views on the

[1] A/7622/Add. 1, Nov. 20, 1969.
[2] The draft treaty appears *ante*, pp. 507–509.

subject under discussion. Various members welcomed the initiative of the Union of Soviet Socialist Republics and the United States of America in preparing and submitting the draft Treaty and expressed appreciation for the measure of agreement achieved, but stated that their Governments had not had adequate time to study the report and the draft Treaty. The view was stated that further negotiations were desirable to extend the scope of the prohibition of military activities, in order to attain a wider realization of the objective of reserving the ocean floor exclusively for peaceful purposes; in this connexion, attention was drawn to the suggestion made by Sweden to the Conference of the Committee on Disarmament (CCD/271) for the inclusion in the Treaty of an additional article to that effect.[3]

5. Some delegations, taking into account the broad mandate of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction reviewed the implications of certain provisions in the draft Treaty in the light of the work already carried out by the Committee. The importance of safeguarding the common areas of agreement reached in the Committee was stressed. In this connexion, reference was made to the Committee's work in formulating legal principles, in particular to the concept, accepted by many States, of the ocean floor beyond national jurisdiction being a common heritage of mankind and consequently being reserved exclusively for peaceful purposes, as well as to the concept of the use of this area for the benefit of all mankind, taking into account the special needs of developing countries, and to other elements which would be incorporated in an international régime to apply to the area.

6. In their comments on various provisions of the draft Treaty, which in a number of instances were stated to be preliminary, delegations raised some specific considerations, among them the following: the legal implications of the draft Treaty arising from what some delegations considered an unnecessary reference to the Convention on the Territorial Sea and the Contiguous Zone done at Geneva on 29 April 1958,[4] which up to the present time had not been adhered to by a majority of countries and, in this connexion, some delegations asserted that the disclaimer clause was not sufficient and suggestions were made to eliminate this difficulty; the preservation of the rights of States recognized by customary international law and existing conventions on the law of the sea; the desirability of defining the types of weapons and activities covered in the draft Treaty, and their relationship to the protection of the living and mineral resources of the marine environment; stress was laid on the need for adequate control; in this respect, the need was also emphasized to ensure the participation in the verification procedures of representatives of the coastal State concerned and to safeguard the rights of coastal States on the continental shelf in accordance with international law—references were also made to the proposals made in the Conference of the Committee on Disarmament by Brazil (CCD/267)[5] and Canada (CCD/270):[6] attention was also drawn to the possibility of verification by an international agency which might be established, as well as

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[3] *Ante*, p. 486.
[4] 15 UST 1606.
[5] *Ante*, pp. 445–447.
[6] *Ante*, pp. 481–482.

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to the need for safeguarding recognized rights of coastal States; the suggestion was made that it would be useful to distinguish, in view of the characteristics of the marine environment, between observation, verification and inspection procedures; the need was also stressed to reserve the maximum possible area of the ocean floor for peaceful purposes, and consequently to use a formulation which would not convey the impression that coastal States are expected to emplace weapons where prohibition is not contemplated by the terms of the proposed draft.

7. The related point was also suggested that, while the mandate of the Committee was restricted to the sea-bed and the ocean floor beyond national jurisdiction, the mandate of the Conference of the Committee on Disarmament was not so restricted; that the application of the draft Treaty included areas within national jurisdiction, but that the position of States on the continental shelf and on the territorial sea should in no way be prejudiced by the draft Treaty. It was also stated that the draft Treaty could not in any way prejudge the legal régime to be established for the sea-bed and the ocean floor beyond national jurisdiction.

8. The hope was expressed that, in view of the importance and complexity of the matter, the implications of the draft Treaty relevant to the Committee's mandate would be considered in greater depth by the Committee at its next substantive session.

9. Since the Committee's consideration of the question was of a limited and preliminary character, the views expressed do not reflect the considered opinion of the Committee as a whole, nor do the points mentioned above represent a detailed summary of the views expressed, which are shown in the summary records.

Remarks by President Nixon on Ratification of the Nonproliferation Treaty, November 24, 1969 [1]

NUCLEAR NONPROLIFERATION TREATY

Ladies and gentlemen: We have invited you here today to witness the signing of the instrument of ratification of the Treaty on the Nonproliferation of Nuclear Weapons, to which the Senate gave its advice and consent on March 13 of this year.[2]

This act of ratification completes a process which has spanned the administrations of three Presidents in which this treaty was negotiated, and it is now being ratified.

It is our hope that after the ratification on the part of the United States, the necessary additional number of nations will ratify the treaty so that it will go into effect.

In speaking of this treaty, we believe that this action today underlines the commitment of this nation, not only for a policy of limiting armaments generally but also to reduce those areas of conflict that

[1] *Department of State Bulletin*, Dec. 15, 1969, p. 544.
[2] *Documents on Disarmament, 1968*, pp. 461–465. See also *ante*, pp. 78–97.

potentially would result in a threat to the peace and security of the world.

Finally, I believe that this act of ratification clearly demonstrates that this nation, through the administrations of all our Presidents in this century, is dedicated to the cause of peace, and we will continue to pursue that cause in every possible, effective way.

The Secretary of State, I think, will explain to you the final action with regard to the treaty and the ceremony which will be scheduled at that time. We have not set the date for it.[3]

Soviet Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Biological Weapons, November 24, 1969 [1]

The General Assembly,

Recalling its resolutions 2162 B (XXI) of 5 December 1966 [2] and 2454 A (XXIII) of 20 December 1968,[3]

Deeply aware that the use of chemical and bacteriological (biological) weapons would constitute a serious threat to mankind and that the development, production and stockpiling of such weapons are therefore contrary to the interests of the security of peoples,

Bearing in mind that the Geneva Protocol of 17 June 1925 for the Prohibition of the Use in War of Asphyxiating, Poisonous and Other Gases and of Bacteriological Methods of Warfare [4] is an effective international agreement which plays an important role in the averting of a chemical and bacteriological war,

Considering it to be urgently necessary to take further measures leading to the complete exclusion of chemical and bacteriological weapons from the arsenals of States and to the destruction of such weapons,

Having regard also to the conclusions on these lines in the report of the Secretary-General of the United Nations on "Chemical and bacteriological (biological) weapons and the effects of their possible use" which was prepared by a group of highly qualified international experts,

1. *Recognizes the need* to conclude as soon as possible a Convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons;

2. *Considers* that such a Convention should provide for the full prohibition of the development, production and stockpiling of chemi-

[3] The treaty entered into force Mar. 5, 1970.

[1] A/C. 1/L. 487, Nov. 24, 1969. The resolution was cosponsored by the U.S.S.R. and 9 other countries: Bulgaria, Byelorussian S.S.R., Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian S.S.R., and Cuba. It was withdrawn on Dec. 9, 1969, in favor of the 32-power resolution (A/C.1/L.500), approved by the G.A. on Dec. 16 (pt. B of res. 2603 (XXIV), *post*, pp. 717–719.

[2] *Documents on Disarmament, 1966*, pp. 798–799.

[3] *Ibid., 1968*, pp. 793–795.

[4] *Post*, pp. 764–765.

cal and bacteriological (biological) weapons and the exclusion of these means of warfare from the arsenals of States through their destruction or diversion for peaceful uses;

3. *Recommends* that in reaching agreement on the text of such a Convention full account should be taken of the draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons contained in document A/7655;[5]

4. *Requests* the Conference of the Committee on Disarmament to conduct negotiations as a matter of urgency with a view to reaching agreement on the text of a Convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons;

5. *Requests* the Committee on Disarmament to report to the General Assembly at its twenty-fifth session on the results of these negotiations;

6. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problem of chemical and bacteriological (biological) weapons.

Statement by the French Representative (de Chevigny) to the First Committee of the General Assembly, November 24, 1969 [1]

It is now ten years since, on 20 November 1959, the General Assembly of the United Nations unanimously adopted resolution 1378 (XIV) which expressed

> . . . the hope that measures leading towards the goal of general and complete disarmament under effective international control will be worked out in detail and agreed upon in the shortest possible time.[2]

We are grateful to the Secretary-General and we appreciate the interest he shows in questions of disarmament. We are grateful to him for having reminded us of that resolution in the introduction to his annual report, but we are also aware that he has not invited us to celebrate its anniversary.

A decade has, as a matter of fact, gone by. Every year this Committee meets to consider its item on disarmament. The Geneva Committee has held more than 400 meetings. Can we honestly congratulate ourselves on having made any substantial progress along the road sketched out in 1959? There is one figure that will suffice to suggest the answer: as the Secretary-General indicates, expenditures of armaments have increased from $120,000 million in 1962 to $200,000 million this year.

It is certainly not the intention of the French delegation to raise a discordant voice at this time when conversations, the particular im-

[5] *Ante*, pp. 455–457.
[1] A/C.1/PV. 1698, pp. 21–27.
[2] *Documents on Disarmament, 1945–1959*, vol. II, p. 1545.

portance of which we welcome and which we view with sympathy, have just begun at Helsinki; nor do we wish to ignore or underestimate the interest to be found in certain partial measures. But inasmuch as the first item in our debates is always entitled "Question of general and complete disarmament", it seems to us fitting to recall the meaning of that expression, to show how it differs from the formulas that are at times submitted for our consideration and, in a word, to consider what are the characteristics and conditions of such an undertaking. Doubtless too, it will result in better understanding of the reasons for our attitude in the course of this debate if we recall a doctrine which, as far as we are concerned, remains constant.

Partial measures, or simply bilateral arrangements obviously do not reflect the general and complete nature that should, according to *the desires of our Organization*, characterize a genuine undertaking of disarmament.

To avoid the dissemination of nuclear weapons is, beyond question, a useful objective. The French Government has always considered that the nuclear States should in no way, either directly or indirectly, encourage any dissemination that would be contrary to the interests of the world at large, and France, as is well known, will behave in this area exactly as do those States that decide to adhere to the non-proliferation treaty.[3] But to preclude States that do not possess nuclear weapons from the possibility of acquiring them, and to prevent dissemination without undertaking to eliminate the existing stockpiles, do not represent a real disarmament measure.

Limiting the growth of armaments among Powers already overarmed, in the interest of preserving the strategic balance and for financial reasons, does constitute a political gesture that would favour a relaxation of tensions. Like many others, having received with favour the announcement of the opening of the talks, we would be gratified to see any agreement reached that could decrease tension in the world. But any such endeavour, for the time being necessarily of a purely bilateral nature, in no way diminishes the already excessive capacity for killing that exists in the arsenals of the world. It is absolutely necessary to slow down the armaments race, but that again is not disarmament.

To prevent the militarization of new areas that have been opened to the activities of man is indeed a desirable goal. As has been done in the areas of the Antarctic and of outer space, this rule should be applied also to the area of the sea-bed and ocean floor. And in this regard, we have expressed our support of the principle that those areas should not be militarized, at the same time recalling, in the specialized Committee created by the United Nations, that the study of that principle should not be isolated from the other aspects of the problem of the sea-bed and ocean floor. But quite obviously, there will be no real disarmament as long as States keep their means for offence intact.

In brief, disarmament does not consist in the taking of partial measures the most certain effect of which is to confirm, actually, the nuclear monopoly of a few States and, ultimately, to cause the secu-

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[3] *Ibid., 1968*, pp. 461–465.

rity of the world to be dependent on a delicate balance which could be upset at any moment.

The fact that everyone is aware of the precariousness of such a situation is shown both by the misgivings expressed last year at the Conference of Non-Nuclear States and by the debates that have developed during this session in the course of the work of the First Committee.

The true problem is, in fact, to respond to the world's need for security. And since the efforts now under way, whatever may be their usefulness, do not succeed in calming our apprehensions, we should once more devote ourselves to the task of defining the characteristics and the conditions for a disarmament that could meet that demand.

The most virulent threat resides in the nuclear danger. Hence in our opinion it is necessary in the first place to have measures of disarmament affect this category of weapons by exercising the necessary restraints first of all on the vehicles for the nuclear weapon—the missiles, the means of delivery—and also by trying to work out prohibitions on the manufacture of such weapons as well as the destruction of stocks. The negotiations, if they are to be successful, must be held first of all between States which possess atomic weapons and which are therefore likely to take upon themselves the necessary commitments.

For its part France, which, in a nuclear world, provided itself with atomic weapons for purely defensive purposes, asserts once again that it holds itself ready to participate in any initiative that would tend to do away with the atomic threat. My country would be the first to rejoice if, under an agreement on real disarmament, it could envisage giving up its own nuclear resources.

The task of general and complete disarmament also requires that nuclear disarmament measures should be accompanied by a reduction in conventional weapons effected in such a fashion that no imbalance of forces resulted from passing through the successive stages. Such a task should obviously extend to biological and chemical weapons, the use of which is already prohibited under the Geneva Protocol [4] and for which we should study measures for the prohibition of their manufacture and then measures for the destruction of the stockpiles.

In our opinion those are the essential purposes of a real disarmament policy. But to commit oneself to achieve those objectives would have little meaning if at the very outset of any negotiations there was not a common will to accept strict control on the application of the decisions reached. I think it may not be useless to stress the need for some control, as was provided—and this we know—in the resolution adopted unanimously in 1959. In our opinion that continues to be the essential prerequisite for authentic disarmament.

In recalling that position, we entertain, as will be understood, certain reservations about the language used in the draft treaty on the sea-bed and ocean floor,[5] which talks no longer of international control but of verification by unilateral observation, or about the absence of

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[4] *Post*, pp. 764–765.
[5] *Ante*, pp. 507–509.

any reference to the very concept of control in a draft convention on chemical and bacteriological weapons.[6]

Those are the aims and conditions for true disarmament. If we commit ourselves to this task with a desire to succeed, that makes it incumbent upon States, and in the first instance incumbent upon the nuclear Powers, to come to agreement, which presupposes a stubborn search for a deep and lasting relaxation of tension. We repeat in this connexion that we welcome with interest any initiative that would contribute precisely to a relaxation of tension and would prepare the way for this *détente*.

On the other hand, we can only deplore the fact that the work and studies on collateral and partial measures, no matter how justified they may be, finally may distract us from what should continue to be our common objective. By the attitude that we take every year in this Committee we wish above all to recall that the great task of disarmament, to which the French Government is ready to devote its best efforts, is still before us and that it is essentially on this subject that each of us should assume our responsibilities.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly [Extract], November 25, 1969 [1]

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At this stage of the First Committee's consideration of disarmament problems, the Soviet delegation would like to follow up its statement of 17 November [2] by setting forth in more detail the position of the Soviet Union on the matter of the complete prohibition of chemical and bacteriological weapons, and we should like in passing to touch on some other points.

There is an increasing awareness by the peoples of the world of the growing danger of the waging of war with the use of chemical and bacteriological weapons, particularly in view of the fact that in several countries there are intensive development, production and stockpiling of chemical and bacteriological weapons. Tests of new weapons of this kind are being carried out. The progress made in chemical and biological sciences brings great benefits to mankind but also makes it possible to develop chemical and bacteriological weapons. Today in the world there are hundreds of thousands of tons of poisonous substances produced every year. The stockpiles are sufficient to cause incalculable harm to the world's population and to animal and vegetable life on our planet. The adoption of measures for the final prohibition of chemical and bacteriological weapons would be extremely timely. For that reason a group of socialist countries proposed the placing on the agenda of this session of the General Assembly the question of the concluding of a convention to prohibit the development, production and stockpiling of chemical and

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[6] *Ante*, pp. 455–457.
[1] A/C.1/PV. 1699, pp. 38–57.
[2] *Ante*, pp. 546–556.

bacteriological (biological) weapons and for the destruction of such weapons.

On 18 November the representative of Poland, Ambassador Kulaga, introduced this proposal in great detail.[3]

We are indeed glad to note that the need for the complete elimination of chemical and bacteriological (biological) weapons is a matter of great interest to the participants in this session of the General Assembly. The debates on disarmament in this Committee furnish abundant proof of that fact.

In the past, mankind erected many obstacles to the employment of chemical and bacteriological (biological) weapons. Of these the most important was the Geneva Protocol of 17 June 1925, prohibiting the use of poisonous gases and other similar substances.[4] That important international agreement has played an important role in preventing the use of chemical and bacteriological (biological) weapons in warfare. The significance of the Geneva Protocol has been confirmed in recent years, as can be seen from the number of countries that have adhered to it. The General Assembly has, in several resolutions, confirmed the importance of the Geneva Protocol and condemned the actions of States running counter to the objectives and principles of that agreement, at the same time appealing to countries not yet having done so to sign and ratify the Protocol.

In July of this year Secretary-General U Thant addressed an appeal to all States

> . . . to accede to the Geneva Protocol of 1925;
> To make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents . . .
> . . . to reach agreement to halt the development, production and stockpiling of all chemical and bacteriological (biological) agents for purposes of war and to achieve their effective elimination from the arsenal of weapons.[5]

Thus, together with the need further to reinforce the Geneva Protocol of 1925, the urgent need has arisen to take the next step, that is to ensure internationally not only the prohibition of the use of chemical and bacteriological weapons, but also the prohibition of their development, production and stockpiling. That would make it possible to settle once and for all the problem of the complete elimination from the life of man of all chemical and bacteriological (biological) weapons.

In the report of the Secretary-General concerning chemical, bacteriological (biological) weapons and the effects of their possible use, submitted to the General Assembly, our attention is drawn to the dangers involved in the possible employment, in our time, of such weapons. Those who would dare to use weapons of these types could not predict what the effects of their use would be, either as regards their direct action or, more particularly, as regards their long-term effect on man and his environment. What would happen if some country decided to resort to the use of bacteriological (biological) weapons in order artificially to spread infectious diseases? In such a

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[3] *Ante*, pp. 556–564.
[4] *Post*, pp. 764–765.
[5] *Ante*, p. 267.

case the country would prefer to use the strongest possible type of such weapons available to it, a type against which a potential adversary would have no counter-measures ready. The same applies to chemical substances. And even if their use was confined to limited areas initially, the effect of winds, fall-out and the natural movements of water would tend to disseminate toxic chemical substances far beyond the area in which they were first used. Their long-term effects could of course be extremely nefarious for mankind.

An important conclusion of the Secretary-General's report is the fact that not only the use of chemical and bacteriological weapons, but the very developing and testing of them as well constitute a danger. This gives rise to a climate of suspicion and mistrust in relations among States. Its influence on international relations is an unhealthy one. Even on the purely technical level it carries serious perils for mankind. In recent years several accidents involving chemical and bacteriological (biological) weapons have occurred. In this connexion the representative of the Byelorussian SSR today drew attention to the fact that on the island of Okinawa, as a result of a leakage of nerve gas in the summer of 1969, twenty-four persons had to be hospitalized. It is a well-known fact that such repositories of toxic substances can be found in other parts of the world, which means that mortally dangerous gases are transported over long distances, and there is no guarantee whatsoever against the occurrence of an accident that could have extremely dangerous consequences to millions of people. A plane crash or an accident to a ship or train transporting such substances could turn into a catastrophe for millions of human beings. In the last four years, according to the American Press, the United States has had to evacuate thirty-nine centres of population because of accidents to trains transporting toxic chemical substances.

Another dangerous aspect of chemical and bacteriological (biological) weapons is the fact that countries that continue to develop and produce them might, in the event of failure in their military activities carried on by other means of warfare, take the risk of using chemical and bacteriological (biological) weapons. Having started with small-scale operations, such a country, as it was dragged further and further into conflict, would pass on to the large-scale use of such weapons. It might, for instance, begin by using them against vegetation, and later use them against human beings; or, having begun with the use of tear gas or other irritant substances, it might go on to use the most dangerous and lethal toxic agents. The report of the Secretary-General states that if a war were to break out in which such weapons were employed, an escalation would be almost certain to follow, and nobody could predict how that would end. The Secretary-General also states that the situation will remain dangerous as long as various States continue to develop, perfect and stockpile such weapons.

It is those considerations which are at the basis of the initiative of the group of socialist countries which asked that the Assembly consider an important and urgent matter entitled "Conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons and on the destruction of such weapons". This initiative is in line with the

efforts made by socialist States for many years with a view to reaching a total final prohibition of chemical and bacteriological weapons.

What is the specific nature of the draft convention proposed by the socialist countries? [6] It has already been said that the main provision of the draft convention is its article 1, providing for the undertaking by each State Party not to develop, produce, stockpile or otherwise acquire chemical and bacteriological (biological) weapons. The task consists in barring the way to the creation or possession of such weapons. Article 2 of the draft convention provides the undertaking to destroy or to divert to peaceful uses all previously accumulated chemical and bacteriological weapons in the possession of the States Parties. Among chemical substances which can be used as weapons, there are some which can be used for peaceful aims. The draft convention provides for the destruction of those substances which cannot be used for peaceful purposes, and the diversion to exclusively peaceful uses of those that can be so diverted. Thus, the first two articles of the draft convention aim at excluding, taking out of human life, one of the most dangerous types of weapons of mass destruction which would solve the problem of eliminating chemical and bacteriological (biological) weapons.

Articles 4, 5 and 6 contain provisions relating to control over respect of the draft convention. Control in the case of chemical and bacteriological weapons is an extremely complex matter and it is hard to carry out in practice. This was explained in detail today by the representative of the Byelorussian SSR. This was due to the fact that the production of chemical and bacteriological substances necessary for peaceful purposes often is in no way different from the military production of such substances. Thus control of an international character would be tantamount to the intrusion of foreign personnel in chemical and biological enterprises of States. It would therefore seem to be more practical and appropriate to leave control to the national Governments which would see to it that no firm, no legal or physical person, would produce chemical or bacteriological (biological) weapons. The Government would be internally responsible for compliance with this provision, and this is what article 4 of the draft convention provides.

To strengthen this provision, article 5 contains an undertaking for States Parties to take, as soon as possible in accordance with their constitutional procedures, necessary legislative and administrative measures to prohibit the development, production and stockpiling of chemical and bacteriological (biological) weapons and to destroy such weapons. Article 6 of the draft convention provides for co-operation in the case of any problems that may arise in the application of the draft convention—if one of the States Parties has doubts, for instance, concerning strict compliance with convention provisions on the part of other States Parties. Articles 4, 5 and 6 as a whole contain a system of guarantees ensuring compliance with provisions of the draft convention by its parties.

I should like to remind the Committee that, in view of the difficulties with control, agreements of past years relating to chemical and bacteriological (biological) weapons did not contain any verification

[6] See *ante*, pp. 455–457.

procedures. None the less, they were active international treaties. This one can say, for instance, about the Geneva Protocol of 1925, and in this sense the proposed convention goes further, and this is an additional guarantee that it can become an effective international agreement.

An important aspect of the draft convention is that it relates to chemical and bacteriological (biological) weapons. Those two types of weapons must in our view be considered together. It would be unjustified to divide them because of their nature and because of political considerations. Contemporary science finds it difficult to establish a clear-cut limitation between chemical and bacteriological weapons. Scientists who prepared the report of the Secretary-General to which I have already alluded write that all biological processes depend upon chemical or physical and chemical reactions and that which today can be considered to be a biological agent can tomorrow, because of progress in our knowledge, be considered as a chemical agent. It is no accident that chemical and bacteriological (biological) weapons are always examined together. The Geneva Protocol of 1925 deals with both. Many scientific treatises relating to this topic also do not distinguish between chemical and bacteriological (biological) weapons and treat them as one single problem. The same is true here in the United Nations where they have always been considered together. They are also dealt with as one single problem in the report of the Secretary-General on chemical and bacteriological weapons, and we think that many delegations are quite right in criticizing the approach to the problem of chemical and bacteriological weapons of the United Kingdom, which suggested in the Disarmament Committee that it deal only with the prohibition of biological weapons.[7] And we disagree with the representative of the Netherlands, who said that the first step should be taken first—that biological weapons should be prohibited, and then chemical weapons.[8] Were we to travel along this path, prohibiting one weapon, we would in fact switch on a green light for the development of the other weapon, but in present day conditions we must say and stress that—in view of the stockpiles already accumulated and of the fact that many States of the world possess them—chemical weapons are a particularly dangerous type of weapon. Therefore to separate those two types of weapons, as proposed by the representative of the United Kingdom, and as advocated today by the representative of the Netherlands, would be extremely inappropriate and even dangerous. Many delegations here have pointed to this danger which is also stressed in the report of the Secretary-General on the effects of the possible use of those chemical and bacteriological (biological) weapons.

Throughout its existence the United Nations has considered this problem of chemical and bacteriological weapons, and it has been especially active in this field in recent years. The General Assembly has taken useful measures and adopted useful resolutions, such as resolutions 2162 B (XXII)[9] and 2454 A (XXIII).[10] Following the

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[7] *Ante*, pp. 319–321.
[8] A/C.1/PV. 1699, pp. 28–31.
[9] *Documents on Disarmament, 1966*, pp. 798–799.
[10] *Ibid., 1968*, pp. 793–795.

appeal of the first of those resolutions, a group of countries comprising Argentina, Ghana, Iceland, Lebanon, the Mongolian People's Republic, Madagascar, Nepal, Niger, Nigeria, Syria, Sierra Leone, Tunisia and others, acceded to the Geneva Protocol of 1925.

In conformity with the second resolution, the Secretary-General drafted his report on chemical, bacteriological (biological) weapons and the effects of their possible use—a report which has been highly praised by many delegations in this Committee and outside it.

The adoption by the General Assembly of the proposal by a group of socialist countries concerning the conclusion of a convention on the prohibition of the development, production and stockpiling of chemical and bacteriological (biological) weapons, and the destruction of such weapons would thus be the next important and logical step by the United Nations towards the solution of the problem of chemical and bacteriological (biological) weapons. The entry into force of the convention would be the crowning achievement of the United Nations in its efforts to prohibit chemical and bacteriological (biological) weapons, since those types of weapons would be completely excluded from human life.

It would have a favourable influence on the state of international relations, increase confidence among States and peoples and pave the way for the inclusion of other disarmament agreements. It would not be an exaggeration to say that a convention excluding from military arsenals a series of weapons—among the most dangerous weapons—would certainly have historical importance. It would be a serious contribution to the cause of peace and be in the interest of the whole of mankind.

Yesterday a group of delegations in the First Committee introduced a draft resolution (A/C.1/L.487) which pertains to this draft convention and which is now in the hands of all the members of the Committee. It draws attention to the need to sign as soon as possible a convention prohibiting the development, production and stockpiling of chemical and bacteriological (biological) weapons and providing for their destruction. The draft resolution contains a request to the Disarmament Committee to undertake urgent negotiations in order to reach agreement on the text of the convention.[11]

If the General Assembly adopted this draft resolution, we would be able to attain our objective: complete prohibition of chemical and bacteriological (biological) weapons. We hope that the draft resolution will be widely supported by delegations in the Committee and by all the Members of the United Nations.

The delegation of the USSR would like to draw the attention of the members of the First Committee to the urgency of this problem. The Committee knows that as long ago as 1968 the Soviet Government included the question of chemical and bacteriological (biological) weapons in its memorandum on certain urgent measures for the cessation of the arms race and for disarmament.[12]

The course of events in recent times, since the publication of that document, has shown how well founded the concern of the Soviet Government was with regard to these weapons. This problem has be-

[11] *Ante*, pp. 577–578.
[12] *Documents on Disarmament, 1968*, pp. 468–469.

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come even more urgent since then. It is obvious that we must not waste time, that we must act in time to achieve the prohibition and liquidation of chemical and bacteriological (biological) weapons. We hope that Member States will pay due attention to this initiative and that our desired objective, to free mankind from the threat of chemical and bacteriological (biological) weapons and the chemical and bacteriological catastrophe will be achieved.

The Soviet delegation would like also to deal with a matter already dealt with by several other delegations—an international exchange of seismological data—and comment upon the draft resolution on this item presented by the delegation of Canada and some other countries.[13] We have already stated the views of the USSR on this matter in our statement of 17 November.[14] The Soviet delegation is ready to undertake on a voluntary basis an exchange of seismological data with other parties to a treaty on the general prohibition of nuclear weapons tests, and to take part in an international exchange of data within the framework of the detection club proposed by Sweden.

However, participation of States in an international seismological data exchange must not impose upon parties any obligations relating to international inspection on their territory, and the evaluation of the data obtained must be carried out not by an international body but by each State for itself. However, as can be seen from operative paragraphs 1 and 2 of the draft resolution introduced by Canada and other delegations, the General Assembly would make requests to States to provide large-scale information about their seismographic stations, as a first step in the exchange of seismological data. And there is an inflexible time-limit for the provision of such information: 1 May of next year.

The draft resolution provides that data on seismographic stations serve as a basis for a compulsory exchange of seismological data; that would no longer be voluntary. There is a very serious negative aspect in the draft resolution of Canada and some other States—namely that it contains a discriminatory formula against socialist States non-Members of the United Nations, among them the German Democratic Republic. The draft resolution provides that information be transmitted to States Members of the United Nations or of any of the specialized agencies or of the International Atomic Energy Agency, or parties to the Statute of the International Court of Justice.

In fact States non-members of those international organizations but parties to important international agreements would be prevented from taking part in these measures. That discrimination is intolerable, and we object all the more because these are measures relating to the cessation of nuclear weapon tests; in other words, a question that is directly linked to the Moscow Treaty on the prohibition of nuclear weapon tests in the atmosphere, outer space and under water. This Treaty, as is well known, contains the formula "all States".[15] Therefore, the German Democratic Republic is a fully equal party to that Treaty. But now the German Democratic Republic, which is a party to the Moscow Treaty on the prohibition of nuclear weapon tests in

[13] Identical with pt. A of G.A. resolution 2604 (XXIV), *post*, pp. 719–722.
[14] *Ante*, pp. 554–555.
[15] *Documents on Disarmament, 1963*, pp. 291–293.

three environments would be barred from taking part in further measures relating to the full prohibition of nuclear weapon tests.

There are some people who still do not want to take into account the actual state of affairs in our world: for instance, the fact that for over twenty years there has been in the centre of Europe a flourishing, rapidly developing sovereign State, the German Democratic Republic. For those reasons the draft resolution contained in document A/C.1/L.485 is unacceptable to the Soviet delegation. That is what we wanted to tell the members of the First Committee.

In our debate the question of peaceful nuclear explosions has been touched upon in connexion with the report of the Secretary-General concerning this matter. We should like to give our views on this subject.

The Soviet delegation has studied carefully the report and the answers of States to the questions of the Secretary-General. We consider that, on the basis of those answers, the report is right in its conclusion that the International Atomic Energy Agency (IAEA), in view of its technical experience and statute provisions, is the international body which can effectively ensure the carrying out of tasks relating to such explosions. That also is in keeping with the view of the IAEA itself as set forth in the report of its Board of Governors, which stresses that the function of the international body mentioned in article V of the non-proliferation Treaty is within the technical competence and purview of the Agency and within its statute obligations.[16]

This report, as is well known, was supported by all member States of the IAEA, which unanimously approved it at the General Conference of the Agency and dispatched it to the Secretary-General of the United Nations. This clearly expresses the attitude of the majority of the States of the world to this problem. And this is fully supported by the Soviet Government, which, in its letter to the Secretary-General, underlined that the IAEA as at present constituted possessed the necessary qualifications to discharge its duties in the field of peaceful nuclear explosions under the non-proliferation Treaty.[17] The letter indicates that the Soviet Union intends, in full awareness of its responsibility, to carry out its obligations under the Treaty as far as services to be rendered in this field are concerned.

May we note in passing that the Agency has already started some practical work in the field of studying the possibility of peaceful nuclear explosions, by collecting and summarizing scientific and technical information and organizing meetings of specialists to study the economic and technical aspects of the problem. The possibilities of using such explosions must, of course, be viewed in the right perspective since, as mentioned in the report of the Secretary-General, the technology in this field is only in its first stages and further investigations are required.

We should like to say that the Soviet Union, wishing to contribute to this useful work of the IAEA, recently transmitted to it several technical reports of Soviet scientists examining the practical aspects of possible peaceful nuclear explosions. As stressed by the Soviet dele-

[16] For the IAEA views, see *ante*, pp. 362–363 and A/7678, pp. 41–46. The treaty may be found in *Documents on Disarmament, 1968*, pp. 461–465.
[17] A/7678, pp. 36–37.

gation at the General Conference of the IAEA, such information will continue to be forwarded to the Agency by the Soviet Union in future.

We think that the United Nations might express its satisfaction with the work done by the Agency in this field since it contributes to progress and improvement in the well-being of the peoples of the world.

Those were the additional ideas which the Soviet delegation thought it necessary to present in connexion with the disarmament problems being considered in this Committee.

Three-Power Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Biological Weapons, November 25, 1969 [1]

The General Assembly,

Recalling its resolution 2454 A(XXIII) of 20 December 1968,[2]

Having considered the report of the Secretary-General of 1 July 1969 on chemical and bacteriological (biological) weapons and the effects of their possible use,[3]

Noting with approval the conclusions of the report of the Secretary-General and the recommendations contained in the foreword to this report,

Noting also the discussion of the report of the Secretary-General at the Conference of the Committee on Disarmament and during the twenty-fourth session of the General Assembly,

Recognizing the importance of the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[4]

Noting with deep concern that the possible use of chemical and bacteriological (biological) weapons is fraught with serious escalation both in the use of more dangerous weapons belonging to the same class and of the other weapons of mass destruction,

Believing that the elimination of chemical and bacteriological (biological) weapons from military arsenals would constitute an important step towards reaching agreement on general and complete disarmament under effective international control,

1. *Reaffirms* resolution 2162 B (XXI) of 5 December 1966 [5] and calls anew for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;

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[1] A/C.1/L. 488, Nov. 25, 1969. The resolution was cosponsored by Hungary, Mongolia, and Poland. It was withdrawn on Dec. 9, 1969, in favor of the 32-power resolution (A/C.1/L.500), approved by the G.A. on Dec. 16 (pt. B of res. 2603 (XXIV), *post*, pp. 717–719.

[2] *Documents on Disarmament, 1968*, pp. 793–795.

[3] *Ante*, pp. 264–298.

[4] *Post*, pp. 764–765.

[5] *Documents on Disarmament, 1966*, pp. 798–799.

2. *Urges* all States, which have not yet done so, to accede to, or ratify the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare in the course of 1970 in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations;

3. *Welcomes* the report of the Secretary-General of 1 July 1969 as an authoritative statement on Chemical and Bacteriological (Biological) Weapons and on the effects of their possible use, and expresses its appreciation to the Secretary-General and to the consultant-experts, who assisted him;

4. *Requests* the Secretary-General to publicize the report in as many languages as is considered desirable and practicable;

5. *Recommends* to all Governments the wide distribution of the report through various media of communication, so as to acquaint public opinion with its contents, and invites the specialized agencies, regional intergovernmental organizations and national and international non-governmental organizations to use their facilities to make the report widely known.

News Conference Remarks by President Nixon on Chemical and Biological Weapons, November 25, 1969 [1]

Ladies and gentlemen:

I have just completed a meeting with the legislative leaders of the House and the Senate, the Foreign Relations and the Armed Services Committees.

In that meeting, we discussed some major initiatives in the disarmament field, initiatives that are the result of decisions that have been made after a Security Council meeting that was held last week.

I would like to summarize the decisions that have been made as a result of the Security Council meeting and the meetings with the legislative leaders, and also to indicate the actions that we hope will be taken by the Senate to affirm the decisions that the administration has made.

The United States is taking two steps today toward advancing the cause of peace and reducing the terror of war. Since this administration took office, the National Security Council has been reviewing our policy regarding chemical warfare and biological warfare. This has been the first thorough review ever undertaken of this subject at the Presidential level.

I recall during the 8 years that I sat on the National Security Council in the Eisenhower administration that these subjects, insofar as an appraisal of what the United States had, what our capability was, what other nations had, were really considered taboo.

And it was felt when we came into the administration that we should examine all of our defense policies and defense capabilities,

[1] *Weekly Compilation of Presidential Documents*, Dec. 1, 1969, p. 1661.

because it has always been my conviction that what we don't know usually causes more fear than what we do know.

What we have tried to do in this examination by the Security Council, an unprecedented examination, is to find the facts and to develop the policies based on the facts as they are, rather than on our fears as to what the facts might be.

On the basis of this review, I made a number of decisions which I believe will sharply reduce the chance that these weapons, either chemical or bacteriological, will ever be used by any nation.

First, in the field of chemical warfare, I hereby reaffirm that the United States will never be the first country to use chemical weapons to kill. And I have also extended this renunciation to chemical weapons which incapacitate.

I am asking the United States Senate for its advice and consent in the ratification of the Geneva Protocol of 1925, which prohibits the first use in war of chemical warfare weapons.[2]

Since 1925, this proposal has been affirmed by the United States as a matter of policy, but never approved by the United States Senate.

And I have asked the leaders this morning to expedite action in this field.

These steps should go a long way toward outlawing weapons whose use has been repugnant to the conscience of mankind.

Second, biological warfare, which is commonly called germ warfare—this has massive, unpredictable, and potentially uncontrollable consequences. It may produce global epidemics and profoundly affect the health of future generations.

Therefore, I have decided that the United States of America will renounce the use of any form of deadly biological weapons that either kill or incapacitate.

Our bacteriological programs in the future will be confined to research in biological defense, on techniques of immunization, and on measures of controlling and preventing the spread of disease.

I have ordered the Defense Department to make recommendations about the disposal of existing stocks of bacteriological weapons.

This program of research and development, incidentally, can have a very important byproduct for the United States and for the world, because we thereby, we think, can break new ground with regard to immunization for any kind of diseases that might spread either nationally or internationally.

The United States positively shall associate itself with the principles of the Draft Convention prohibiting the use of biological weapons of warfare presented by the United Kingdom and the U.N. Eighteen-Nation Disarmament Conference on August 26, 1969.[3]

Up to this time, only Canada has indicated support of this United Kingdom initiative.

The United States, as of today, now indicates its support of this initiative and we hope that other nations will follow suit.

Mankind already carries in its own hands too many of the seeds of its own destruction. By the examples that we set today, we hope to

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[2] *Post*, pp. 764–765.
[3] *Ante*, pp. 431–433.

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contribute to an atmosphere of peace and understanding between all nations.

Thank you.

Statement by President Nixon on Chemical and Biological Weapons, November 25, 1969 [1]

Soon after taking office I directed a comprehensive study of our chemical and biological defense policies and programs. There had been no such review in over 15 years. As a result, objectives and policies in this field were unclear and programs lacked definition and direction.

Under the auspices of the National Security Council, the Departments of State and Defense, the Arms Control and Disarmament Agency, the Office of Science and Technology, the intelligence community, and other agencies worked closely together on this study for over 6 months. These Government efforts were aided by contributions from the scientific community through the President's Science Advisory Committee.

This study has now been completed and its findings carefully considered by the National Security Council. I am now reporting the decisions taken on the basis of this review.

Chemical Warfare Program

As to our chemical warfare programs, the United States:

—Reaffirms its oft-repeated renunciation of the first use of lethal chemical weapons.

—Extends this renunciation to the first use of incapacitating chemicals.

Consonant with these decisions, the administration will submit to the Senate, for its advice and consent to ratification, the Geneva Protocol of 1925 which prohibits the first use of "Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare." [2] The United States has long supported the principles and objectives of this Protocol. We take this step toward formal ratification to reinforce our continuing advocacy of international constraints on the use of these weapons.

Biological Research Program

Biological weapons have massive, unpredictable and potentially uncontrollable consequences. They may produce global epidemics and impair the health of future generations. I have therefore decided that:

—The United States shall renounce the use of lethal biological agents and weapons, and all other methods of biological warfare.

—The United States will confine its biological research to defensive measures such as immunization and safety measures.

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[1] *Weekly Compilation of Presidential Documents*, Dec. 1, 1969, pp. 1659–1660.

[2] *Post*, pp. 764–765.

—The Department of Defense has been asked to make recommendations as to the disposal of existing stocks of bacteriological weapons.

In the spirit of these decisions, the United States associates itself with the principles and objectives of the United Kingdom Draft Convention which would ban the use of biological methods of warfare.[3] We will seek, however, to clarify specific provisions of the draft to assure that necessary safeguards are included.

Neither our association with the Convention nor the limiting of our program to research will leave us vulnerable to surprise by an enemy who does not observe these rational restraints. Our intelligence community will continue to watch carefully the nature and extent of the biological programs of others.

These important decisions, which have been announced today, have been taken as an initiative toward peace. Mankind already carries in its own hands too many of the seeds of its own destruction. By the examples we set today, we hope to contribute to an atmosphere of peace and understanding between nations and among men.

News Conference Remarks by Secretary of State Rogers on Preliminary Strategic Arms Limitation Talks [Extract], November 25, 1969 [1]

Q. Mr. Secretary, the SALT talks in Helsinki are still in the early stages of the preliminary phase, but do you have any impressions out of them yet?

A. Yes, we do. The impression we have is that the Soviet Union is quite serious about these talks, and I have talked to some of those who are in Helsinki and they tell me that the nature of the talks, the manner of dialogue, is the best of any discussion they have had with the Soviet Union. They are serious, they are not polemical, and we were very encouraged by the general atmosphere.

Q. Is this a surprise?

A. No, but we are pleased.

Q. Why did they put them off so long, if they were ready to be forthcoming? Do you have any idea?

A. No. I suppose they asked that question about us, because we delayed from the beginning of our administration until June. I think probably the reason was they were having problems with the Chinese. I think they wanted to get those talks started—the talks started with the Chinese, Red Chinese—before they went to Helsinki.

Q. Is it true the Department of State wanted to go into these preliminary talks with some substantive proposals but that other agencies of our Government did not and prevailed?

[3] *Ante*, pp. 431–433.
[1] *Department of State Bulletin*, Dec. 22, 1969, pp. 582–583.

A. No, I don't think that is true. We thought all along that these talks would be useful to try to really probe to see what we could do in the final talks, and I think the Soviet Union took the same attitude.

Q. What does the Soviet Union want?

A. Well, I think it is a little early to tell. I think what they want is the same thing that we want, at least that is what we hope. And that is that we can curb the arms race and maintain the same relative position so that each of us does not have to spend so much money on arms.

Q. Do they admit this, by the way, that they would like to divert some of their resources to domestic affairs?

A. Well, I don't know as I have ever had that exact discussion with them, but that clearly is the implication.

Q. Well, we are going to—by Pentagon testimony—we are going to conclude our MIRV [multiple independently targeted reentry vehicle] testing and more or less perfect it by May or June. Isn't this going to make any agreement much more difficult to enforce?

A. Yes, I think there is a lot to that, but it is just one of those facts of life we will have to face up to.

Q. Did you see any possibility of getting an agreement before May or June?

A. I doubt it very much, because it is very difficult to imagine that it could happen. We are not sure what stage they are in, and they are not sure what stage we are in; and if we proposed it too aggressively, they would think that we had completed our tests to the point where we didn't need any additional tests, and they would be naturally suspicious.

Q. Right.

A. And vice versa.

Q. But if it does go to May or June and our MIRV is operational, doesn't any agreement entail vast detailed inspection, and isn't this a stumbling block that the Soviet-American arms talks have run up against for 20 years?

A. Yes—but your question suggests an incorrect premise, and that is there is something magic about May or June.

Q. Well, once we have finished the MIRV tests and it is operational—

A. What I am saying is that it isn't necessarily the finish of the tests that counts.

Q. Why is that, sir?

A. Because you don't necessarily have to finish the tests in order to deploy them.

Q. Oh, we could deploy before—

A. Well, as I say, the tests that run for a long period of time are designed to give you the maximum out of testing. Now, neither side quite knows whether the other side has tested enough so that they would be able to deploy them now.

Fifteen-Nation Draft Resolution Introduced in the First Committee of the General Assembly: Strategic Arms Limitation Talks, November 26, 1969 [1]

The General Assembly,

Recalling resolution 2456 D (XXIII),[2]

Noting with satisfaction that on 17 November 1969 the Governments of the Union of Soviet Socialist Republics and the United States of America have initiated bilateral negotiations on the limitations of offensive and defensive strategic nuclear-weapon systems,

Expressing the hope that these negotiations will bring about early and positive results which would pave the way for further efforts in the field of nuclear disarmament,

Convinced of the necessity for creating the most favourable conditions for the achievement of that aim,

Appeals to the Governments of the Union of Soviet Socialist Republics and the United States of America to agree, as an urgent preliminary measure, on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems.

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[1] A/C.1/L.490 and Adds. 1–2. The resolution was cosponsored by Argentina, Brazil, Burma, Cyprus, Ethiopia, India, Ireland, Mali, Mexico, Morocco, Nigeria, Pakistan, Sweden, U.A.R., and Yugoslavia. After defeating the five-power amendments (*post*, p. 637), the First Committee adopted the fifteen-nation proposal by a vote of 67 to 0, with 40 abstentions:

For—Afghanistan, Argentina, Bolivia, Brazil, Burma, Burundi, Ceylon, Chad, Chile, Colombia, Costa Rica, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Ghana, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, U.A.R., United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia.

Against—None.

Abstaining—Algeria, Australia, Austria, Belgium, Bulgaria, Byelorussian S.S.R., Cameroon, Canada, Central African Republic, China, Congo (Democratic Republic of), Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Italy, Japan, Laos, Liberia, Madagascar, Malta, Mauritius, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, South Africa, Swaziland, Syria, Turkey, Ukrainian S.S.R., U.S.S.R., U.K., U.S.

The resolution later became pt. A of G.A. resolution 2602 (XXIV), *post*, pp. 710–711.

[2] *Documents on Disarmament, 1968*, pp. 800–801.

Canadian Working Paper on Article III of the Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and the Sub-Soil Thereof, November 27, 1969 [1]

(1) In order to promote the objectives of and ensure compliance with the provisions of this treaty, each State party to the treaty shall have the right to verify through observation the activities of other States parties to the treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the zone referred to in article I, provided that observation does not interfere with such activities or otherwise infringe rights recognized under international law.

(2) If after such observation reasonable doubts remain concerning the fulfilment of the obligations assumed under the treaty, the State party having such doubts and the State party that is responsible for the activities giving rise to the doubts shall consult with a view to removing the doubts and, if the doubts persist, shall co-operate on such further procedures for verification, as may be agreed, including appropriate inspection of objects, structures, installations or other facilities that reasonably may be expected to be of a kind described in article I. Parties in the region of the activities, and any other party so requesting, shall be notified of, and may participate in, such consultation and co-operation.

(3) If the State responsible for the activities giving rise to the reasonable doubts is not identifiable by observation of the object, structure, installation or other facility, the State party having such doubts shall notify and make appropriate inquiries of States parties in the region of the activities, and of any other State party, either directly, or through appropriate international procedures including the good offices of the Secretary-General of the United Nations. If it is ascertained through these inquiries that a particular State party is responsible for the activities, that State party shall consult and co-operate with other parties as provided in paragraph 2 above. If the identity of the State party responsible for the activities cannot be ascertained through these inquiries, then further verification procedures, including inspection, may be undertaken by the inquiring State party, which shall invite the participation of the parties in the region and of any other party desiring to co-operate.

(4) If consultation and co-operation pursuant to paragraphs 2 and 3 of this article have not removed the doubts concerning the activities and there remains a reasonable doubt concerning fulfilment of the obligations assumed under this treaty, a State party may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council, which may take action in accordance with the Charter.

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[1] A/C.1/992, Nov. 27, 1969. The paper was submitted to the First Committee of the General Assembly. The draft treaty appears *ante*, pp. 507–509.

(5) Verification pursuant to this article may be undertaken by any State party using its own means, or with the full or partial assistance of any other State party, which may be sought directly, or indirectly through appropriate international good offices including those of the Secretary-General of the United Nations.

(6) All verification activities conducted pursuant to this treaty shall be conducted with due regard for the sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law.

Statement by the Canadian Representative (Ignatieff) to the First Committee of the General Assembly, November 28, 1969 [1]

When I spoke in this Committee on 18 November I referred to the Canadian working paper of 8 October concerning the right of verification of the sea-bed treaty.[2] I stated then:

> For our part we are proceeding with consultations with a view to submitting an amendment based on our working paper. We shall be submitting this shortly in order to facilitate a detailed discussion of the draft treaty text here.

I repeated the pledge that I had given in Geneva that the Canadian delegation is "willing to do our best to try to reach an agreement on textual changes which would make the sea-bed treaty generally acceptable".[3]

Since I spoke, you, Mr. Chairman, last Wednesday at our 1701st meeting, in reply to the point of procedure raised by the Ambassador of Brazil, stated that:

> . . . it would be in order for any delegation to submit suggestions or proposals in writing in any appropriate form such as a working paper.[4]

In response to your suggestion, Mr. Chairman, and in order to facilitate further consideration of the text of the sea-bed treaty in this Committee, I should like to take this occasion to report the progress which has been achieved so far in the consultations which we have been conducting with regard to draft article III of the sea-bed arms control treaty.

As a result of those consultations I submit today a revised working paper on article III of the draft treaty contained in annex A of the report of the Conference of the Committee on Disarmament. That working paper is contained in document A/C.1/992, of 27 November 1969.[5] It has the support of several delegations, which will no doubt make their views known as the discussion of the text develops. It does not, of course, purport to meet the views and concerns of all delega-

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[1] A/C.1/PV.1703, pp. 43–48.

[2] For the Canadian paper, see *ante*, pp. 481–482. The draft sea-bed treaty appears *ante*, pp. 507–509.

[3] A/C.1/PV.1692, pp. 61–62.

[4] A/C.1/PV.1701, p. 36.

[5] *Supra.*

tions. What I do believe is that the content of this working paper goes a long way to meet the criterion of general acceptability which we have been seeking and to which I referred in my previous statement. In particular, in our view, it meets the essentials of the position reflected in the Canadian working paper which we submitted in Geneva in the following respects:

(a) It provides not only for observation, which does not infringe the rights of coastal States, but also for procedures of inspection by mutual consent if reasonable doubts arise, including the participation of all the parties that might be interested;

(b) If the observation or inspection gives rise to reasonable doubts, then States parties to the treaty have a right to invoke international procedures, including the good offices of the Secretary-General, for assistance;

(c) If necessary, States parties to the treaty have a right to recourse to the Security Council in accordance with provisions of the Charter;

(d) They have a right to full or partial assistance as may be necessary to assist in verification; and

(e) All verification activities, as paragraph 6 of the working paper states specifically, must be with due regard for "the sovereign or exclusive rights of a coastal State . . .".

I need hardly emphasize the importance of the time factor, and it is with that in mind that I have put the proposal in written form—as you have suggested, Mr. Chairman—even though our consultations are not complete, in the hope that it will assist the possibility of the General Assembly's completing work on the sea-bed treaty at this session. Needless to say, our consultations will continue with any and all who wish to be in touch with us about this important matter.

While I am speaking, I should like to explain the introduction of another draft resolution, this time dealing with the question of chemical and bacteriological (biological) warfare.[6] This is, in effect, a revised version of the draft resolution contained in document ENDC/266 of 26 August 1969 which Canada submitted at the Conference of the Committee on Disarmament in Geneva and which is appended to the report of that Committee.[7]

We had in mind then, as we do now, that the Assembly requires an opportunity for further study and negotiations at Geneva before pronouncing on the substance of the difficult problems raised in the excellent report of the Secretary-General on the whole problem of chemical and bacteriological (biological) warfare. Moreover, an important proposal dealing with biological warfare was introduced by the United Kingdom delegation at Geneva.[8] Subsequently, here in New York, the Soviet Union and certain socialist countries introduced a draft convention dealing with both chemical and biological warfare.[9]

A draft resolution (A/C.1/L.488) has been introduced by Hungary, Mongolia and Poland [10] which substantially contains most of the text of the draft which the Canadian delegation submitted in Geneva. But

[6] *Infra.*
[7] *Ante,* pp. 430–431.
[8] *Ante,* pp. 431–433.
[9] *Ante,* 455–457.
[10] *Ante,* pp. 589–590.

that draft resolution omits reference to the United Kingdom proposal on biological warfare and omits reference to what we believe is the only way in which progress can be made on the foundations of the Geneva Protocol [11] and the work done at the last session in Geneva, namely by taking into account the various proposals put forward both in the Assembly and in Geneva; more particularly the United Kingdom draft convention and the draft convention of the Soviet Union and other socialist countries, as well as the Secretary-General's report.

This is not, in our view, an unimportant distinction. We agree with draft resolution A/C.1/L.488 that the most important step that the Assembly should take is the reaffirmation of support for the Geneva Protocol of 1925 and the adherence to it through ratification by as many States as possible. In this connexion we particularly welcome the statement made by President Nixon on 25 November initiating Congressional action on the ratification of the Geneva Protocol and announcing the intention to renounce biological weapons.[12]

Where we part company with the draft resolution of the three delegations is that we believe that our text does not seek to prejudice in any way the differing positions on substance held by various delegations, and that as paragraph 2 of operative section C makes clear in our draft resolution, this Assembly will request the Conference of the Committee on Disarmament to give "urgent consideration to reaching agreement on the prohibition of chemical and bacteriological (biological) methods of warfare"—I repeat "the prohibition of chemical and bacteriological (biological) methods of warfare"—taking into account all the proposals made.

That language, I believe, is responsive to the views expressed by many delegations that the Conference of the Committee on Disarmament should be asked to study the problem as a whole, but not overlooking any of its constituent parts. In other words, where progress needs to be made is not just by banning weapons, but by dealing with the means of making those weapons, on a basis of reciprocity and with verification.

Needless to say, the Canadian delegation stands ready on this, as on all other proposals before the Committee, to seek a reasonable consensus which, of course, is the only way in which progress on arms control and disarmament can proceed.

Nine-Power Draft Resolution Introduced In the First Committee of the General Assembly: Chemical and Biological Weapons, November 28, 1969 [1]

The General Assembly,
Recalling its resolution 2454 A (XXIII) of 20 December 1968,[2]

[11] *Post*, pp. 764–765.
[12] *Ante*, pp. 592–593.
[1] A/C.1/L.491, Nov. 28, 1969. The resolution was cosponsored by the following countries: Australia, Canada, Chad, Cyprus, Ghana, Netherlands, Nigeria, Uganda, U.K. It was withdrawn Dec. 9, 1969, in favor of the 32-power resolution (A/C.1/L.500), approved by the G.A. on Dec. 16 (pt. B of res. 2603 (XXIV), *post*, pp. 717–719).
[2] *Documents on Disarmament, 1968*, pp. 793–795.

Having considered the Report of the Secretary-General of 1 July 1969 on chemical and bacteriological (biological) weapons and the effects of their possible use (A/7575),[3]

Noting the conclusions of the Report of the Secretary-General and the recommendations contained in the foreword to this Report,

Noting also the discussion of the Report of the Secretary-General at the Conference of the Committee on Disarmament and during the twenty-fourth session of the General Assembly,

Mindful of the conclusion of the Report that the prospects for general and complete disarmament under strict and effective international control and hence for peace throughout the world would brighten significantly if the development, production and stockpiling of chemical and biological agents intended for purposes of war were to end and if they were eliminated from all military arsenals,

Recognizing the importance of the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[4]

Conscious of the need to maintain inviolate the Geneva Protocol and to ensure its universal applicability,

Emphasizing the urgency of the need for achieving the earliest effective elimination of chemical and bacteriological (biological) weapons,

A

1. *Reaffirms* resolution 2162 B (XXI) of 5 December 1966 [5] and calls anew for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;

2. *Invites* all States, which have not yet done so, to accede to, or ratify the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases and of Bacteriological Methods of Warfare in the course of 1970 in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations;

B

1. *Welcomes* the Report of the Secretary-General of 1 July 1969 as an authoritative statement on chemical and bacteriological (biological) weapons and on the effects of their possible use, and expresses its appreciation to the Secretary-General and to the consultant-experts, who assisted him;

2. *Requests* the Secretary-General to publicize the Report in as many languages as is considered desirable and practicable, making use of the facilities of the United Nations Office of Public Information;

3. *Recommends* to all Governments the wide distribution of the Report so as to acquaint public opinion with its contents, and invites

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[3] *Ante*, pp. 264–298.
[4] Post, pp. 764–765.
[5] *Documents on Disarmament, 1966*, pp. 798–799.

the specialized agencies, inter-governmental organizations, and national and international non-governmental organizations to use their facilities to make the Report widely known;

4. *Recommends* the Report of the Secretary-General to the Conference of the Committee on Disarmament as a basis for its further consideration of the effective elimination of chemical and bacteriological (biological) weapons;

C

1. *Takes* note of the draft Convention on the Prohibition of Biological Methods of Warfare submitted by the United Kingdom to the Conference of the Committee on Disarmament (CCD/255/Rev.1)[6] and the draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons submitted to the General Assembly by the delegations of Bulgaria, Byelorussian SSR, Czechoslovakia, Hungary, Mongolia, Poland, Romania, Ukrainian SSR and the USSR (A/7655);[7]

2. *Requests* the Conference of the Committee on Disarmament to give urgent consideration to reaching agreement on the prohibition of chemical and bacteriological (biological) methods of warfare, taking full account of the draft conventions mentioned in paragraph 1 and other relevant proposals;

3. *Requests* the Conference of the Committee on Disarmament to present a report on progress on all aspects of the problem of the effective elimination of chemical and bacteriological (biological) weapons to the twenty-fifth United Nations General Assembly; and

4. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problem of chemical and bacteriological (biological) weapons.

Brazilian Working Paper on Article III of the Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and the Sub-Soil Thereof, November 28, 1969[1]

In order to safeguard the rights enjoyed by the coastal State on its continental shelf, in accordance with international law, the Brazilian delegation proposes that article III of the draft treaty be amended to read as follows:

(1) In order to promote the objectives of and ensure compliance with the provisions of the Treaty, each State Party to the Treaty shall have the right to

[6] *Ante*, pp. 431–433.

[7] *Ante*, pp. 455–457.

[1] A/C.1/993, Nov. 28, 1969. The paper was submitted to the First Committee of the General Assembly. The draft treaty appears *ante*, pp. 507–509.

verify through observation the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the outer limit of the maritime area referred to in article I, provided that observation does not interfere with such activities or otherwise infringe rights recognized under international law.

(2) If after such observation substantial doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the Parties concerned shall consult with a view to removing the doubts and, if the doubts persist, shall co-operate on such further procedures for verification as may be agreed. Parties recognize that such verification shall not interfere with the activities in question.

(3) Verification pursuant to this article may be undertaken by any State Party using its own means, or with the assistance of any other State Party which may be sought directly or indirectly through appropriate international good offices including those of the Secretary-General of the United Nations.

(4) (a) Verification procedures shall not be carried out on the continental shelf of any State Party or in its superjacent waters without due regard for the sovereign rights of coastal States.

(b) Prior to initiating verification procedures on the continental shelf of any State Party or in its superjacent waters, the State Party proposing to initiate such procedures undertakes to notify the coastal State which shall manifest within a reasonable period of time whether it wishes to be associated with the verification.

(5) In the carrying out of verification procedures on the sea-bed and the ocean floor and the subsoil thereof beyond national jurisdiction, Parties in the region of the activities or any other Party may participate in the consultation and co-operation referred to in paragraph (2).

(6) In the event that consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed under this Treaty, States Parties to this Treaty may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council.

Statement by the Brazilian Representative (Araujo Castro) to the First Committee of the General Assembly: Sea-Bed and Ocean Floor, November 28, 1969 [1]

I have asked for the floor in order to present the working paper submitted by Brazil on article III of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and the subsoil thereof, which has just been circulated.[2]

The delegation of Brazil has studied with interest the working paper submitted this morning by the delegation of Canada.[3] Although it represents considerable and welcome progress in relation to article III of the joint Soviet-United States draft,[4] it contains in our view provisions less clear and positive than those included in document CCD/270, presented by Canada in Geneva.[5] In particular, we feel that the role to be played by the coastal State in verification procedures is now presented in a rather vague form. Actually, the language contained in the last sentence of paragraph 2 of the Canadian working

[1] A/C.1/PV.1704, pp. 18–21.
[2] *Supra.*
[3] *Ante,* pp. 596–597.
[4] *Ante,* pp. 507–509.
[5] *Ante,* pp. 481–482.

paper gives no recognition whatsoever to the fact that the coastal State has sovereign rights on its continental shelf.

As a matter of fact the position of the coastal State is reduced to the role that any other party in the region or any other interested country could play. Thereby, the coastal State is put on the same footing as any other State party regardless of the rights and interests which it has on the continental shelf adjacent to its coast. This undifferentiated treatment may give rise to a series of disputes and misunderstandings.

Furthermore, paragraph (6) of the Canadian working paper prejudges the scope of the rights enjoyed by the coastal State on its continental shelf, a question still unresolved in international law.

The Brazilian delegation decided, therefore, to submit a working paper based on the Canadian document presented to the Conference of the Committee on Disarmament, which was considerably more explicit and precise in regard to the points that I have just mentioned. We hope that our initiative will serve the purpose of enhancing the possibilities of arriving at a generally acceptable draft treaty in the interests of nuclear and non-nuclear countries alike.

As a last word I wish to make it quite clear, Mr. Chairman, that the proposals contained in document A/C.1/L.993 [6] are presented in the form of a working paper because we are intent on complying with the clarification and ruling you made at the afternoon meeting of the Committee on 26 November.[7] Nevertheless, we reserve our right to move the same proposals in the form of formal draft amendments, under the rules of procedure of the General Assembly, as soon as that is procedurally feasible.

Statement by the United States Representative (Buffum) to the First Committee of the General Assembly: Peaceful Uses of Atomic Energy, November 28, 1969 [1]

At the outset I should like to express the deep gratification of the Government of the United States at the fact that just this morning the Federal Republic of Germany has signed the Treaty on the Non-Proliferation of Nuclear Weapons.[2] That, of course, represents a very welcome development. We are also very pleased to note that yesterday the Government of Switzerland too signed the Treaty. That means that ninety-three countries have now signed this important document. As members know, the Soviet Union and the United States have already completed their ratification processes and expect to deposit their instruments in the very near future. We hope that several other nations will soon take comparable steps.

In our discussions to date we have addressed ourselves primarily to

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[6] *Supra.*
[7] A/C.1/PV.1701, pp. 36–37.
[1] A/C.1/PV.1704, pp. 81–92.
[2] On the German signature, see *infra.* The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

the important questions of disarmament and arms control. This afternoon, however, I wish to draw the Committee's attention to the three reports before us which found their origin in the Conference of the Non-Nuclear-Weapon States. They include: the Secretary-General's report on the implementation of the results of the Conference of the Non-Nuclear-Weapon States; [3] his report dealing with the establishment within the framework of the International Atomic Energy Agency of an international service for providing nuclear explosions for peaceful purposes; [4] and finally, his report on the "Contributions of Nuclear Technology to the Economic and Scientific Advancement of the Developing Countries".[5]

In our view, those three documents merit the most careful attention of the members of this Committee. They reflect credit on both the Secretary-General and the agencies, notably the International Atomic Energy Agency, that assisted in the preparations.

In our view, they are indicative of two very significant developments. First, they reflect a growing awareness on the part of many countries of the enormous role that the peaceful atom can play in improving our lives. Secondly, they reflect the legitimate desires of the non-nuclear-weapon States to be assured that they will not be deprived of the benefits of this promising technology if they renounce the right to manufacture nuclear explosives as provided for by the non-proliferation Treaty. My Government attributes the highest importance to the undertakings in articles IV and V of the non-proliferation Treaty favouring peaceful atomic development and international co-operation. We believe that our sincerity in this regard is evident from the extensive programme which we have had under-way for several years to share our most up-to-date advancements concerning the peaceful atom with other countries.

Since the inception of the atoms for peace programme the United States has declassified and broadly disseminated information on the peaceful uses to other nations. We have assisted in the establishment of foreign nuclear centres by making twenty-six reactor and sixty-three equipment grants available. The nuclear centres established around these research reactors have been instruments in promoting and expanding general scientific development and co-operation in many of the countries, in addition to furthering nuclear science. Also, we have trained roughly 6,300 foreign scientists in our atomic laboratories and have entered into several technical exchange agreements in fields of mutual interest. In addition, we have undertaken a major programme to ensure that ample amounts of enriched uranium are available to foreign countries, under attractive conditions, to satisfy the needs of their nuclear power programmes. As of this date the United States has committed itself, under suitable agreements, to supply through enrichment services approximately 540,000 kilogrammes of enriched uranium to foreign countries.

Moreover, our Export-Import Bank has long followed a policy of financing foreign nuclear power plants. The Bank has authorized

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[3] *Ante*, pp. 465–471.
[4] A/7678.
[5] A/7568.

twenty-one loans totalling over half a billion dollars for nuclear facilities or materials in eleven countries. Of these, eighteen loans have been for nuclear power projects totalling 5,000 megawatts in installed capacity. Lastly, we have had for some time an extensive programme of assisting the International Atomic Energy Agency through the provision of funds, information, equipment, expert advice and free fissionable materials.

I mention those facts simply to emphasize the extent of the commitment of my own Government to nuclear co-operation and to note that many of these actions have been in line with the recommendations of the Conference of Non-Nuclear-Weapon States. As we have indicated on previous occasions, it is our intention to continue this programme and to strengthen it further wherever practicable. Others undoubtedly will also do their share. In this regard it is useful to note that one of the reports before us states that: "The concerted international effort that has already been made to spread the peaceful uses of atomic energy probably has no parallel in other branches of modern technology".[6]

We remain convinced that the greatest progress in international co-operation can be achieved by working within established mechanisms and strengthening them wherever feasible. I am referring here, in part, to the important responsibilities which are already vested in the International Atomic Energy Agency. We are encouraged that over the past year there has been a broad reaffirmation by many States both here and in Vienna of the principle that the International Atomic Energy Agency should continue to be the focal point for fostering international co-operation in the area of the peaceful uses of atomic energy. We would urge the General Assembly to reaffirm that principle by the manner in which it disposes of the three reports now before us.

Those documents realistically summarize the considerable contribution that the peaceful atom can make towards scientific, medical and industrial progress. At the same time they forthrightly reveal that not enough funds are available to meet all the meritorious demands.

The United States Government considers that the basic solution to this problem rests to a large degree with the countries concerned. It will depend in the first instance on the priority assigned to meritorious nuclear projects by nations when they formulate their over-all plans of national development. It will also depend in large part on the development of a greater appreciation and awareness by all interested parties, including appropriate financial institutions, of the near and potential long-term contributions of this technology. We might bear in mind in this regard that it has been estimated that by 1980, a bare ten years from now, the total installed capacity of nuclear power throughout the world will be approximately 320,000 megawatts. Further, it will require the broad-scale financial support of all of the Member States of the International Atomic Energy Agency (IAEA) of the Agency's programme for technical assistance. I am pleased to report to this Committee that my own Government fully intends to do

[6] A/7568, p. 13.

its share in this regard over and above the very substantial contributions that we have already made to the IAEA technical assistance programme. More specifically, we now have before the United States Congress a proposal which would enable us to increase the level of our contribution to the IAEA technical assistance programme.

Against that background I should like to make some more specific comments on the three reports now before us.

First, there is the report on the implementation of the recommendations of the Conference of Non-Nuclear-Weapon States. The United States regards the Secretary-General's report on the implementation of the recommendations of that Conference as a very informative and comprehensive document. Both the achievements of the past year and the problems yet to be solved are reviewed in a straightforward fashion. As Ambassador Yost noted in his general statement, the IAEA already has several activities under way that are in keeping with the recommendations of the Conference of Non-Nuclear-Weapons States.[7]

For example, the Agency is now reviewing on an urgent basis the composition of its Board of Governors, and every effort will be made to submit a suitable statutory amendment to the next IAEA General Conference in order to achieve a broader and more equitable representation. My Government intends to give its active support to the achievement of that objective.

Another area where continued progress is being made concerns the field of safeguards to detect unauthorized diversions of nuclear materials. A careful reading of the report before us shows that the Agency safeguard system already contains many features which are designed to avoid any disruption of normal industrial activities. In addition, a continuous effort is being made to achieve, through studies and research, greater simplifications. In my country alone we are spending approximately $4 million this year in various developmental efforts which are designed to make safeguards more efficient and less intrusive. We shall continue to share the results of our experience with other nations.

Another important area which concerns the resolution of the Conference of Non-Nuclear-Weapons States proposing the establishment of a fund of fissionable materials within the IAEA deserves comment. That question was considered both by the IAEA Board of Governors and by the recent General Conference, and it was noted that the quantities of fissionable materials already available to the Agency have far exceeded the demands. Nevertheless, some nuclear Powers, including the United States, have indicated that when this fund needs replenishing they will be prepared to consider making additional quantities available. In our own case we have stated that we would expect to supply such additional amounts under terms comparable to those which apply to our bilateral agreements.

I have already discussed the question of financing, but it should be noted that under the leadership of Ceylon and several other developing countries the recent IAEA General Conference adopted a

[7] See *ante*, pp. 540–541.

resolution which directed the Agency's Director-General to make a comprehensive study as to how the problem of financing nuclear projects can best be solved.[8] Under this study the Agency is to assess the likely capital and foreign exchange requirements for nuclear projects in developing countries for the next decade and to study the ways and means to secure financing for such projects from international and other sources. The effective carrying out of this study is going to require the full co-operation of the principal financial institutions that may be involved.

In sum, my Government believes that the Secretary-General and the IAEA have made every effort to be responsive to the actions taken last year by this Assembly, and we believe that they should be commended for their actions. Many of the problems which have been identified are of course not soluble over night and they will involve continuing efforts on the part of the IAEA and the other interested agencies. We should like to encourage those organizations to keep the General Assembly informed of their further progress.

The second report deals with peaceful nuclear explosions, and I should like to comment first on the proposition of establishing, within the framework of the IAEA, a "service" to assure that the benefits of peaceful nuclear explosions are made available to non-nuclear-weapon States. This of course is a new and unexplored area and one where much further work needs to be done. We are impressed, however, that a very promising beginning has been made and we believe that the steps already taken are fully compatible with the statements made in 1968 that studies relevant to the implementation of article V of the non-proliferation Treaty should begin even before that Treaty comes into force.

We are also pleased to note that most States appear to share our view that the IAEA is the appropriate body to deal with this subject. This has been evidenced not only by individual comments but also by the fact that the recent IAEA General Conference approved, without objection, a resolution expressing its confidence that the Agency is fully competent to deal with this subject. We note that the conclusions of the Secretary-General's report also indicate that the technical expertise and statutory authority of the Agency to handle the problem have been convincingly supported.

In our view, the Agency has already gone very far in defining the prospective responsibilities which it can assume in this field. We believe that it should be commended for this effort and urged to continue its studies.

We would expect the Agency in the months ahead to give particular attention to fostering the exchange of information in this field, to examine the responsibilities which it might assume in performing the international observation called for in article V of the non-proliferation Treaty and to consider a number of other important questions.

We believe that we are dealing here with an exciting new technology, and we share the Secretary-General's optimism that the awe-

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[8] GC (XXIII)/Res/256 (A/7677/Add. 2, p. 17).

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some power of nuclear explosions will be harnessed in the not-too-distant future for the benefit of all mankind. We believe, however, that it must be recognized that this technology is still in an experimental stage of development, and for this reason we endorse the concept expressed in the Secretary-General's report that this subject should be approached on an evolutionary basis.

My own Government, for its part, will do its best to keep the IAEA informed of technological progress in this field, and I might say that we were encouraged that the Soviet Union recently transmitted to the IAEA information on its own activities concerning the peaceful uses of nuclear explosions.

As we have stated many times, we will provide, under attractive conditions and pursuant to article V of the non-proliferation Treaty, a peaceful nuclear explosion service when such a service is technically and economically feasible. Moreover, our charges will be kept as low as possible and they will exclude the sizeable costs which the United States has incurred up to now in developing its nuclear explosive devices. Additionally, we expect that our charges to foreign customers will be no greater than the charges to domestic American consumers.

In conclusion, I should like to commend the Secretary-General for the very fine report submitted on the contributions of nuclear technology to the economic and scientific advancement of the developing countries. This document, which was prepared by a distinguished group of experts and with the help of the IAEA, describes in a realistic fashion the various significant contributions that already can be made by the peaceful atom, and the even greater possibilities for the future. It also describes in detail steps that a developing country would normally have to take to realize some of these benefits.

Looking at the near term, the report discusses in a succinct and yet informative fashion the numerous contributions that can be made, for example, through the use of radioisotopes. We are also alerted to the potential advantages of nuclear power. The point is made that, even if the first nuclear plant in a country may not be able to comply with the stringent requirements of competitiveness, it may nevertheless still be justifiable if it is the first unit in an economically sound, long-term nuclear power programme.

Additionally, the report reviews both the great promise and the further experimental work that will be required to derive the full benefits from peaceful nuclear explosions and nuclear-powered desalting plans. We are also reminded of the important point that the introduction of nuclear technology into a developing country depends on the state of its scientific and technological infrastructure. Hence, great stress is placed on the necessity to establish an adequate educational base and to develop additional nuclear centres in such countries. Lastly, the report contains a very forthright and useful summary of the prospects as well as the problems associated with the adequate funding of projects in these fields.

All in all, we believe this should prove a very useful and valuable document, most particularly to officials responsible for national development. We therefore commend it for careful review by all Members of this Organization.

Note From the Federal Republic of Germany to the United States on Signature of the Nonproliferation Treaty, November 28, 1969 [1]

The Government of the Federal Republic of Germany presents its compliments to the Government of the United States of America and, on the occasion and in formal connection with its signing today of the Treaty on the Non-proliferation of Nuclear Weapons, has the honour to expound its understanding of the basis of that Treaty.[2]

I.

The Federal Government understands that

—the provisions of the Treaty shall be interpreted and applied in relation to the Federal Republic of Germany in the same way as in relation to the other Parties to the Treaty;

—the security of the Federal Republic of Germany and its allies shall continue to be ensured by NATO or an equivalent security system;

—Resolution No. 255 adopted by the United Nations Security Council,[3] as well as the Declaration of Intent of the United States, the Soviet Union and Great Britain upon which that Resolution is based,[4] shall also apply without any restriction to the Federal Republic of Germany;

—the Treaty shall not hamper the unification of the European States;

—the Parties to the Treaty will commence without delay the negotiations on disarmament envisaged under the Treaty, especially with regard to nuclear weapons.

II.

The Federal Government declares that

—signature of this Treaty does not imply recognition of the GDR under international law;

—therefore, no relations under international law with the GDR shall arise out of this Treaty for the Federal Republic of Germany.

III.

With respect to the peaceful use of nuclear energy and to the verification agreement to be concluded with the IAEA, the Federal Government starts from the following assumptions:

(a) *Limitation to the purpose of the Treaty*

It is the purpose of the Treaty to prevent the present non-nuclear-weapon States from manufacturing or otherwise acquiring nuclear

[1] German Embassy press release, Nov. 28, 1969. The note was also sent at the same time to the U.K. and the U.S.S.R., the other depositary governments.
[2] The treaty may be found in *Documents on Disarmament, 1968*, pp. 461–465.
[3] *Ibid.*, p. 444.
[4] *Ibid.*, pp. 439–440.

weapons or other nuclear explosive devices. The provisions of the Treaty are therefore solely designed to attain this objective. In no case shall they lead to restricting the use of nuclear energy for other purposes by non-nuclear-weapon States.

(b) *Research and Development*

Freedom of research and development is essential in the advancement of the peaceful uses of nuclear energy, and to the Federal Republic of Germany it is beyond all doubt that the Treaty may never be interpreted or applied in such a way as to hamper or inhibit research and development in this sphere. The Federal Government has taken note of the statement made by the US Permanent Representative to the United Nations on 15 May 1968, and, in particular, of the following remarks:

> . . . there is no basis for any concern that this Treaty would impose inhibitions or restrictions on the opportunity for non-nuclear-weapon States to develop their capabilities in nuclear science and technology;
>
> This treaty does not ask any country to accept a status of technological dependency or to be deprived of developments in nuclear research;
>
> The whole field of nuclear science associated with electric power production . . . will become more accessible under the treaty, to all who seek to exploit it. This includes not only the present generation of nuclear power reactors, but also that advanced technology, which is still developing, of fast breeder power reactors, which, in producing energy, also produce more fissionable material than they consume;

and

> Many nations are now engaged in research in an even more advanced field of science, that of controlled thermonuclear fusion. The future developments of this science and technology may well lead to the nuclear reactor of the future, in which the fission process of uranium or plutonium is replaced by the fusion reactions of hydrogen isotopes as the source of energy. Controlled thermonuclear fusion technology will not be affected by the treaty . . .[5]

(c) *Onus of proof*

In connection with paragraph 3 of Article III and with Article IV of the Treaty no nuclear activities in the fields of research, development, manufacture or use for peaceful purposes are prohibited nor can the transfer of information, materials and equipment be denied to non-nuclear-weapon States merely on the basis of allegations that such activities or transfers could be used for the manufacture of nuclear weapons or other nuclear explosive devices.

(d) *Exchange of Information*

Article IV requires those Parties to the Treaty in a position to do so to co-operate in contributing to the further development of the applications of nuclear energy for peaceful purposes. The Federal Government therefore expects that any measures restricting the unhampered flow of scientific and technological information will be reexamined with a view to facilitating the fullest possible exchange of scientific and technological information for peaceful purposes.

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[5] *Ibid.*, pp. 344–345.

(e) *Other nuclear explosive devices*

At the present stage of technology nuclear explosive devices are those designed to release in microseconds in an uncontrolled manner a large amount of nuclear energy accompanied by shock waves, i.e. devices that can be used as nuclear weapons.

At the same time the Federal Government holds the view that the Non-Proliferation Treaty must not hamper progress in the field of developing and applying the technology of using nuclear explosives for peaceful purposes.

(f) *Safeguards and Verification Agreements*

There is no incompatibility between the aims of the Non-Proliferation Treaty and those of the Treaty establishing EURATOM.[6] As to the safeguards provided for in its Article III, the Non-Proliferation Treaty limits itself to referring to agreements to be concluded with the IAEA, the contents of which have therefore not yet been laid down.

The safeguards agreements with the IAEA, as described in paragraphs 1 and 4 of Article III, can be concluded by Parties to the Treaty not only "individually" but also "together with other States". States being members of an organization the work of which is related to that of the IAEA comply with their obligation to conclude the agreement by the organization concerned concluding it with the IAEA, as also provided in Article XVI of the Statute of the IAEA[7] and in the Agency's safeguards system.[8]

The obligation of a non-nuclear-weapon State Party to the Treaty under paragraph 1 of Article III to accept safeguards outside its own territory prevails only if such Party has dominant and effective control over a nuclear facility.

In order to avoid incompatibility between the implementation of the Non-Proliferation Treaty and compliance with the provisions of the Treaty establishing EURATOM, the verification procedures must be so defined that the rights and obligations of member states and the Community remain unaffected, in accordance with the opinion rendered by the Commission under Article 103 of the Treaty establishing EURATOM.

To this end, the Commission of the European Communities will have to enter into negotiations with the IAEA.

The Government of the Federal Republic of Germany intends to postpone the ratification procedure of the Non-Proliferation Treaty until negotiations between the Commission and the IAEA have led to agreement.

IV.

The Government of the Federal Republic of Germany reaffirms the attached Statement made by it on signing the Non-Proliferation Treaty.

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[6] *American Foreign Policy: Current Documents, 1957*, pp. 518–573.
[7] *Ibid., 1956*, pp. 915–933.
[8] *Documents on Disarmament, 1965*, pp. 446–460.

Statement by the Federal Republic of Germany on Signature of the Nonproliferation Treaty, November 28, 1969 [1]

The Government of the Federal Republic of Germany

(1) welcomes the fact that the principle of non-proliferation of nuclear weapons has now been consolidated world-wide by treaty and points out that the Federal Republic of Germany has as early as October 1954, in the Brussels Treaty, renounced the manufacture of nuclear, biological and chemical weapons and accepted relevant controls;[2]

(2) reaffirms its expectation that the Treaty will be a milestone on the way towards disarmament, international détente, and peace, and that it will render an important contribution towards the creation of an international community based on the security of independent nations and on the progress of mankind;

(3) understands that the provisions of the Treaty shall be interpreted and applied in relation to the Federal Republic of Germany in the same way as in relation to the other Parties to the Treaty;

(4) understands that the security of the Federal Republic of Germany shall continue to be ensured by NATO; the Federal Republic of Germany for its part shall remain unrestrictedly committed to the collective security arrangements of NATO;

(5) understands that Resolution No. 255 adopted by the United Nations Security Council,[3] as well as the Declarations of Intent of the United States, Great Britain and the Soviet Union upon which that Resolution is based shall also apply without any restriction to the Federal Republic of Germany;[4]

(6) states that the principles contained in the Preamble to the Treaty, and the principles of international law laid down in Article 2 of the United Nations Charter which preclude any threat or use of force directed against the territorial integrity or the political independence of a State, are the indispensable prerequisite to the Treaty itself and shall apply without any restriction also in relation to the Federal Republic of Germany;

(7) signs the Treaty in the expectation that it will encourage further agreements on the prohibition of the use and threat of force, which will serve to stabilize peace in Europe;

(8) states that the Federal Republic of Germany, in a situation in which it considers its supreme interests in jeopardy, will remain free by invoking the principle of international law laid down in Article 51 of the United Nations Charter to take the measures required to safeguard these interests;

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[1] German Embassy press release, Nov. 28, 1969. The statement, together with the note of the same date (*supra*), was transmitted to the three depositary governments, the U.S., the U.K., and the U.S.S.R. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

[2] *American Foreign Policy, 1950–1955: Basic Documents*, vol. I, pp. 979–989.

[3] *Documents on Disarmament, 1968*, p. 444.

[4] *Ibid.*, pp. 439–440.

(9) signs the Treaty convinced that it will not hamper European unification;

(10) regards the Treaty not as an end but rather a starting point for the negotiations, provided for in the Treaty itself as its natural supplement and to ensure its effective implementation, concerning disarmament, the peaceful uses of nuclear energy, and the benefits arising for the peaceful applications of nuclear energy;

(11) stresses that the research, development and use of nuclear energy for peaceful purposes and the international or multinational co-operation in this field must not only not be hampered but should even be furthered by the Treaty, especially as regards non-nuclear-weapon States.

(12) notes that no incompatibility exists between the aims of the Non-Proliferation Treaty and those of the Treaty establishing EURATOM;

(13) understands that the agreements between the IAEA and EURATOM, as described in Article III of the Non-Proliferation Treaty, shall be concluded on the basis of the principle of verification, and that verification shall take place in a way that does not affect the tasks of the European Atomic Energy Community in the political, scientific, economic and technical fields;

(14) insists that, in accordance with the letter and the spirit of the Treaty, the safeguards shall only be applied to source and special fissionable material and in conformity with the principle of safeguarding effectively the flow of source and special fissionable materials at certain strategic points. It understands that the words "source material" and "special fissionable material" used in the Treaty shall have—subject to amendments expressly accepted by the Federal Republic of Germany—the meaning laid down in the present wording of Article XX of the Statute of the IAEA;

(15) understands that each Party to the Treaty shall decide for itself which "equipment or material" shall fall under the export provision of paragraph 2 of Article III. In so doing the Federal Republic of Germany will accept only those interpretations and definitions of the terms "equipment or material" which it has expressly approved;

(16) reaffirms the necessity of settling the question of the costs of safeguards in a way that does not place unfair burdens on non-nuclear-weapon States;

(17) declares that the Federal Republic of Germany does not intend to ratify the Non-Proliferation Treaty before an agreement in accordance with Article III of that Treaty has been concluded between EURATOM and the IAEA which both in form and substance meets the requirements of paragraphs 13, 14, 15 and 16 of this Statement and compatibility with the Treaty instituting the European Atomic Energy Community has been established;

(18) stresses the vital importance it attaches, with a view to ensuring equal opportunities in the economic and scientific fields, to the fulfilment of the assurance given by the United States and Great Britain concerning the application of safeguards to their peaceful

nuclear facilities,[5] and hopes that other nuclear-weapon States as well will give similar assurances;

(19) reaffirms its view that, until the conclusion of the agreement between the IAEA and EURATOM, the supply contracts concluded between EURATOM and the Parties to the Non-Proliferation Treaty shall remain in force, and that, after the entry into force of the Non-Proliferation Treaty, supply contracts should, in the interest of an unhampered exchange of information, equipment and materials for peaceful purposes, be freed from any additional political or administrative restrictions.

The Government of the Federal Republic of Germany signs today in Washington, London and Moscow, the capitals of the three Depositary Governments, the Treaty on the Non-Proliferation of Nuclear Weapons.

On this same day, the Government of the Federal Republic of Germany hands to the Depositary Governments—informing simultaneously the Governments of all States with which the Federal Republic of Germany maintains diplomatic relations—the text of a Note bringing the above statement to the attention of these Governments. The Note also contains the known German interpretations of the Non-Proliferation Treaty which are designed to preserve the sphere of peaceful activities and to ensure the conclusion of the verification agreement between the IAEA and EURATOM in accordance with Article III of the Non-Proliferation Treaty.

Statement by the German Ambassador to the United States (Pauls) on Signature of the Nonproliferation Treaty, November 28, 1969 [1]

MR. SECRETARY,

Germany's signing of the Non-proliferation Treaty today constitutes a further step consistent with the peace policy which the Government of the Federal Republic of Germany unvarying has pursued during the past two decades. My Government is determined to follow this path also in the future.

The Federal Government having formally renounced the production not only of nuclear weapons but also of B- and C-weapons already 15 years ago persistently endorsed the idea of barring the proliferation of nuclear weapons. It is our sincere hope that our signing of this treaty will help to promote this idea as well as other important measures in the field of arms control and disarmament. Disarmament, however, is only one of the aspects which we have to consider today with regard to our policy of a secured peace. For our security we also need friends and allies such as the United States of America. In this respect the North Atlantic Alliance has proved its value through 20 years. Its firm solidarity is the prerequisite of joint

[5] See *ibid.*, *1967*, pp. 613–616.

[1] German Embassy press release, Nov. 28, 1969. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

efforts to reach a relaxation of tensions in Europe and in the world, which in due time will enable us to effectuate the right of selfdetermination for the whole German people, in the framework of a European peace order acceptable to all nations concerned.

The Government of the Federal Republic of Germany in the note which I shall hand over to you, Mr. Secretary, has expounded its understanding of this Treaty.[2] A statement of the Government of the Federal Republic of Germany on its signing of the Non-proliferation Treaty is attached to this note.[3] The Federal Government would be grateful if the Government of the United States of America in its capacity as depository Government would transmit the text of this note as well as the attached statement to the other signatories of the Treaty, when notifying them of the German signature.

Remarks by Secretary of State Rogers on German Signature of the Nonproliferation Treaty, November 28, 1969 [1]

Mr. Ambassador, your signature today of the NPT here in Washington, and that of your colleagues in London and Moscow, is an event of historic importance.

The United States Government has pursued the goal of a Nonproliferation Treaty because we are convinced this will be an effective measure to reduce the chances of nuclear war. We recognize that other measures are necessary to achieve this objective, not the least of which are restraints on the part of those countries which have gone down the path of nuclear armament. Apart from our interest in doing so, we shall be committed by treaty obligation to seek such restraints when the NPT comes into force.

We are not waiting for the entry into force of the NPT to pursue this responsibility. The strategic arms limitation talks have already begun.

We are deeply conscious that your nation remains divided. We respect the decision of the Government of the Federal Republic to sign the NPT under circumstances of a divided Germany, a divided Europe, and a divided world—which almost 25 years after World War II leave the great city of Berlin under quadripartite responsibility.

Your signature today is yet further evidence of the strong desire of your Government to play a positive and central role in the important work facing the nations of the world, in shaping the future of a Europe without divisions, and in ensuring the preservation of peace. We are convinced that this signature, far from jeopardizing your country's position, will improve it.

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[2] *Ante*, pp. 609–611.
[3] *Supra.*
[1] *Department of State Bulletin*, Dec. 15, 1969, p. 545. The treaty appears in *Documents on Disarmament, 1968*, pp. 461–465.

Peacemaking, as we are all aware, is an international undertaking which can succeed only when nations pledge themselves to respect the rights of their neighbors. In this regard it is clear that articles 53 and 107 of the United Nations Charter confer no right to intervene by force unilaterally in the Federal Republic of Germany. For their part, the Three Powers, the United States, the United Kingdom, and France, have formally declared that in their relations with the Federal Republic they will follow the principles set out in article 2 of the United Nations Charter. All the other parties to the North Atlantic Treaty have associated themselves with that declaration. Moreover, as a full and equal partner in the North Atlantic Treaty, the Federal Republic is of course protected by that treaty, under which an armed attack upon any party would be met by an immediate Allied response in the form of self-defense measures pursuant to the North Atlantic Treaty.

When the NPT was opened for signature, our Government formally acknowledged that confidence in our solemnly concluded treaties of mutual security constituted a vital factor in consideration of the NPT by our allies.[2]

During hearings on the NPT before the Senate Foreign Relations Committee last February, I reaffirmed the understandings of the previous U.S. administration, among other points, about the effect of the NPT on our existing defense alliances.[3] I can reaffirm that this position remains that of the U.S. Government.

Mr. Ambassador, I quote the pronouncement of President Nixon on the 20th anniversary of NATO: ". . . the American commitment to NATO will remain in force and it will remain strong. We in America continue to consider Europe's security to be our own." [4]

Maltese Draft Resolution Introduced in the First Committee of the General Assembly: Updating of United Nations Disarmament Publication, December 1, 1969 [1]

The General Assembly,

Noting with approval the proposal of the Secretary-General in the introduction to his annual report, to dedicate the decade of the 1970s as a Disarmament Decade,

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[2] See *ibid.*, pp. 460–461.

[3] *Department of State Bulletin*, Mar. 10, 1969, p. 189.

[4] *Ante*, p. 174.

[1] A/C.1/L.492, Dec. 1, 1969. The Maltese representative stated on Dec. 8 that he would not seek a vote on the resolution if the First Committee adopted a statement expressing a consensus on its substance (A/C.1/PV.1714, pp. 56–57). On Dec. 9 the Chairman of the First Committee read out the following consensus:

"It is the feeling of the First Committee that the volume prepared by the Secretariat entitled *The United Nations and Disarmament 1945–1965* contains a useful reference guide to the work of the United Nations in the field of disarmament, and that, in view of the arms control agreements that have been or are being negotiated, it would be desirable to revise this publication and to issue an updated edition. The twenty-fifth anniversary of the United Nations

Noting that the publication entitled "The United Nations and Disarmament 1945–1965" was issued as a reference guide to the work of the Organization in the field of disarmament,

Noting further that arms control negotiations have been intensified since 1965 and that important agreements in this area have been, or are being, negotiated,

Believing that an updated reference publication on deliberations and negotiations on disarmament would provide useful background information for Member States engaged in disarmament negotiations,

Requests the Secretary-General to issue an updated edition of the publication entitled "The United Nations and Disarmament 1945–1965" before the convening of the twenty-fifth session of the General Assembly and subsequently at periodic intervals of five years.

Statement by the Maltese Representative (Pardo) to the First Committee of the General Assembly: Radiological and Laser Warfare [Extract], December 1, 1969 [1]

. . . . . .

One of the characteristics of the arms competition between the major Powers is the development of new classes of weapons systems. I shall briefly refer to two of these which have not as yet received attention either in the Conference of the Committee on Disarmament or at the United Nations.

The first is radiological warfare,[2] of which there are two branches. The first branch concerns the destruction caused by radiological agents that are a by-product of nuclear explosions. As you are aware, Sir, although all nuclear explosions have some radiological effects, there are very great differences of degree between the effect produced by different kinds of nuclear explosions. Thus, nuclear weapons may be developed to maximize death and injury through radioactive fallout by, for instance, encasing bombs with cobalt. That is probably the sole type of nuclear warfare in the context of weapons now available, which could bring about the destruction of mankind in its literal, physical sense. However, the type of radiological warfare just described is perhaps best considered in the context of measures for the control of nuclear weapons and I shall not mention that branch of radiological warfare further.

The second type of radiological warfare concerns the manufacture, stockpiling and use of radioactive agents independently of nuclear explosions. These might derive from radioactive by-products of

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would seem an appropriate occasion for this updating, which should subsequently be undertaken at periodic intervals of five years." (A/C.1/PV.1716, p. 61).

The Soviet representative saw no need for the First Committee to deal with this question and expressed a reservation (*ibid.*, p. 62). It was then decided that the First Committee had no objection to the consensus, subject to any reservations that any particular delegation might entertain (*ibid.*, p. 66). The plenary General Assembly adopted the consensus on Dec. 16 (A/PV. 1836 (prov.), p. 16).

[1] A/C.1/PV.1706, pp. 47–50.

[2] On Dec. 1, 1969, Malta submitted a draft resolution on radiological warfare (A/C.1/493). A revised version of this resolution (A/C.1/493/Rev. 1, Dec. 8, 1969) became pt. C of G.A. resolution 2602 (XXIV), *post*, p. 712.

reactors for peaceful purposes and could be used tactically or strategically—for instance in the form of radioactive dust or pellets—to contaminate a given area. Although that use of radioactive agents does not appear particularly important militarily, given the numerous other types of weapons systems available, it is technically feasible and we believe it may be worth while to draw attention to it.

The optical maser or laser—light amplification by stimulated emission of radiation—is a comparatively new scientific development with many important potential civilian and military applications. The laser is a device that produces a new kind of light—coherent light—which has predictable properties that can be controlled in a manner comparable to microwave frequencies and radio signals. The present military applications of lasers are mainly in the field of radar and communications but their military importance is rapidly increasing. Lasers are already playing a crucial role in the development of controlled nuclear fusion devices—to which I have referred—and, should a more intensive utilization of outer space be attempted, it is not impossible that their unique characteristics could be of outstanding strategic importance. Since lasers are particularly suited for military use in outer space or on celestial bodies with an attenuated atmosphere, they could become the preferred primary armament of manned spacecraft and, of more immediate relevance perhaps, they could be mounted in arrays on orbiting space stations so that their cones of lethal striking power completely covered an assigned sector of the earth. That may appear a remote possibility. Nevertheless my delegation has reason to believe that both laser and outer space technology have advanced sufficiently to make it advisable to initiate negotiations for appropriate amendments to article IV of the outer space Treaty, bearing in mind that while lasers in outer space could be used as terrible weapons of mass destruction they have also a wide and expanding range of peaceful uses.

We hope that our suggestion will be taken up by a State member of the Committee on the Peaceful Uses of Outer Space and in the meantime we have respectfully submitted a modest draft resolution on that subject.[3]

. . . . . .

Statement by the Canadian Representative (Ignatieff): Exchange of Seismological Data, December 4, 1969 [1]

In accordance with the procedure you just put to the Committee, and that has been adopted without objection, may I be permitted to make some remarks with regard to draft resolution A/C.1/L.485 which was submitted by Canada and stands before the Committee with twenty-seven co-sponsors.[2] I should like to take this opportunity, briefly, to make some clarifying comments on this proposal on an international exchange of a seismological data. We think our resolu-

[3] A/C.1/494. A revised version (A/C.1/494/Rev. 1, Dec. 8, 1969) became pt. D of G.A. resolution 2602 (XXIV), *post*. pp. 712–713.

[1] A/C.1/PV.1712, pp. 4–10.

[2] Identical with pt. A of G.A. resolution 2604 (XXIV), *post*, pp. 716–717.

tion affords the United Nations General Assembly an opportunity to take specific and concrete action in the direction of a verified comprehensive test ban.

Before considering any voluntary seismological data exchange system, it is obviously necessary to ascertain the extent of co-operation which governments would be prepared freely to extend and the form in which this data would be made available. We have no pretensions about the significance of the measure we propose; nonetheless, we believe it is a useful substantive step towards the implementation of operative paragraph 3 of United Nations General Assembly resolution 2455 (XXIII),[3] and it is relevant to the task of circumventing some of the obstacles to the achievement of a comprehensive test ban.

In view of the urgency which previous sessions of the United Nations General Assembly attached, and I believe that this Assembly attaches also, to the achievement of a comprehensive test ban, we hope this resolution will be supported by all delegations.

In particular I should like to take this opportunity to try to dispel any possibility of misunderstanding about this resolution A/C.1/L.485. Our Soviet colleague in his statement of 25 November, said that the Soviet delegation is ready to undertake on a voluntary basis an exchange of seismological data with other parties to a treaty on the general prohibition of nuclear weapons tests, and to take part in an international exchange of data within the framework of the detection club proposed by Sweden. This statement we warmly welcome. However, the representative of the Soviet Union went on to suggest that the exchange "must not impose upon parties any obligations relating to international inspection on their territory, and the evaluation of data obtained must be carried out not by an international body but by each State for itself." [4] There is nothing in the text of our resolution which can be regarded as prejudicing in any way this position even by implication.

The representative of the Soviet Union also suggested that the draft resolution which we have offered intends "a compulsory exchange of seismological data", and would not be voluntary. I wish to take this opportunity to assure the Soviet delegation, and any other delegations having similar concerns, that we have no such intention in mind, nor is there any reference to any element of compulsion in the text of the resolution contained in document A/C.1/L.485. Indeed, if it were to facilitate the co-operation of the Soviet Union in seismic exchanges on the basis of this proposal, we would be happy to add the word 'voluntarily' after the word 'co-operate' in the second operative paragraph of our resolution.

Our Soviet colleague also spoke of the inflexible time-table for the provision of the information requested. We would be open to any suggestion from the Soviet delegation as to how the convenience of his Government might be met by an extension of the time-table. The target date of 1 July, for instance, would be quite acceptable. The only reason, indeed, for suggesting any time-table is that the Conference of the Committee on Disarmament in Geneva should, in our view, be given a chance to study the voluntary replies of the Govern-

[3] *Documents on Disarmament, 1968*, pp. 796–797.
[4] *Ante*, p. 587.

ments to the Secretary-General's circular letter attached to our resolution before reporting to the next session of the United Nations General Assembly on this problem.

Lastly, the Soviet delegation suggested that a discriminatory formula was being employed with regard to the transmission of the inquiry to be made by the Secretary-General on a voluntary basis to various Governments. I should explain that the reasons for the formula used is that it cannot be left, as I understand it, to the Secretary-General or the Secretariat, to decide on this important question itself as to what Governments to address on the question of seismic exchange, and this is the formula normally used in the United Nations at the present time.

Again, however, if this were the only obstacle to unanimity, I am sure there would be a willingness on the part of the co-sponsors, as well as ourselves, to consider suggestions which would enable us to overcome this difficulty on a widely acceptable and reasonable basis.

I make these comments in the spirit of accommodation which we truly believe is the only basis on which arms control and disarmament negotiation can usefully proceed. A wise diplomat has said that negotiation is like settling quarrels with your wife; you have to realize that you have to live with her in the end and you must therefore always leave room for accommodation. I may say that this is the spirit, as I understand it, of the Conference of the Committee on Disarmament, the spirit of Geneva, the spirit which at the present time is particularly important in view of the historic decisions taken by the great Powers who are in Geneva, such initiatives as the beginning of SALT, their ratification of the non-proliferation Treaty, the United States declaration of tremendous importance on CBW,[5] the proposal of the Soviet Union and other Socialist States on the same subject,[6] and, last but not least, the joint proposal for a draft treaty on the prohibition of the emplacement of nuclear weapons on the sea-bed and ocean floor and in the subsoil thereof.[7]

It is this spirit which animates our approach in trying to find a fair and equitable basis of co-operation in international seismic exchange arrangements which we believe will help contribute materially to the solution of the difficult problem of verification of a comprehensive test ban.

The Canadian delegation attaches the greatest importance to this proposal, for it is directly related to the attainment of the priority objective set both by the United Nations General Assembly and the Conference of the Committee on Disarmament, of trying to end the arms race in nuclear weapons.

In conclusion, I would like to add that the Canadian delegation will be supporting the other resolution contained under item 30, namely document A/C.1/L.486 co-sponsored by Sweden, and several other delegations, on the need for the suspension of nuclear and thermonuclear tests.[8]

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[5] *Ante*, pp. 592–593.
[6] *Ante*, pp. 455–457.
[7] *Ante*, pp. 507–509.
[8] Substantially identical with pt. B of G.A. resolution 2604 (XXIV), *post*, p. 722.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Exchange of Seismological Data, December 4, 1969 [1]

I, too, should like to refer to the draft resolutions relating to special nuclear and thermo-nuclear tests mentioned by the representatives of Canada and Sweden who have preceded me.

With reference to the first of these drafts, that is to say the one co-sponsored by the Canadian and other *delegations, contained* in document A/C.1/L.485,[2] I should like to state that the Soviet delegation has already given its views [3] and I shall simply repeat our position and thereby answer the questions of the representative of Canada.[4] Once again, I should like to stress that the Soviet Union is ready to engage in an exchange of seismological data, seismographs, but not data on seismic stations—in other words, not the data mentioned by the representative of Canada, but seismological data, seismographs—with other parties to the treaty. We are also prepared to take part in an international exchange of seismological data, but not about stations included within the framework of the detection club. However, the Soviet Union considers that participation in an international exchange of seismological data should not impose upon participating countries any obligation to submit to international inspection on their territory. We consider that evaluation of the information resulting from the exchange of seismological data, seismographs, should not be carried out by some international body but by each State for itself.

Today the representative of Canada offered some clarification. He said that this draft did not impose an obligation to supply data. However, the draft resolution provides, in particular its operative paragraphs 1 and 2, that the General Assembly should invite Governments to provide world-wide and detailed information, not concerning seismographs or seismological data, but on seismograph stations. This is not at all the same as what the representative of Canada said; there is a difference between data on seismograph stations and seismographs, which determine what kind of explosions have taken place.

The draft resolution also contains a specific date—1 May 1970—by which such information should be submitted. It is therefore predicated upon the idea that information on seismograph stations will serve as a basis for compulsory exchange of seismological data. It would not be voluntary; it would be compulsory.

The other operative paragraph of the draft resolution co-sponsored by Canada and other countries contains an unacceptable formula which discriminates against socialist countries not Members of the United Nations, for example, the German Democratic Republic. Information on seismograph stations would be supplied by Members of the United Nations or of any of the specialized agencies or of the

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[1] A/C.1/PV.1712, pp. 11–15.
[2] Identical with pt. A. of G.A. resolution 2604 (XXIV), *post*, pp. 719–722.
[3] See *ante*, pp. 587–588.
[4] *Supra.*

IAEA or parties to the Statute of the International Court of Justice. But no provision is made for other States to take part in this, while at the same time they do take an active part and are participants in international agreements relating to nuclear weapons. The German Democratic Republic is a party to the Moscow Treaty, for instance, but now it is excluded. Why should it be excluded? It is an active party to the substance of a Treaty prohibiting nuclear tests.

We cannot, therefore, accept the approach recommended by the delegation of Canada and several others, as it is imposed by States which do not wish to take into account the true state of affairs in our day and age: that for over twenty years, in the very heart of Europe, there has been an independent, flourishing State, namely, the German Democratic Republic, which is a party to many important international instruments, especially those dealing with the prohibition of nuclear-weapon tests in three environments, and also takes an active part in discussions on the prohibition of underground nuclear tests. Consequently, my delegation considers the draft resolution contained in document A/C.1/L.485 unacceptable, and we shall vote against it.

So far as the other draft resolution contained in document A/C.1/L.486 is concerned, that tabled by Sweden and other countries,[5] the Soviet delegation considers it a constructive draft because it makes it possible to move forward towards the complete prohibition of nuclear-weapon tests. For this reason, the Soviet delegation will support it and vote in favour of it.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Comprehensive Test Ban, December 4, 1969 [1]

The United States warmly supports the objectives of the resolution put forward by the delegation of Canada [2] and feels that we can support the language of this resolution as it stands. We feel that this proposal would, it is very true, be a real contribution towards the solution of this very difficult problem of resolving the question of how to reach an appropriately verified, complete ban on the prohibition of underground tests of nuclear weapons.

The United States delegation also is in complete sympathy with the objective of resolution A/C.1/L.486, put forward by the delegation of Sweden,[3] and, with respect to this, however, we do feel in sympathy with the view just expressed by the delegation of the United Kingdom that the particular point suggested in the final sentence of this resolution is not, in fact, a desirable suggestion; that, on the contrary, the objective would not be advanced by requiring the Conference of the Committee on Disarmament to submit a special report on this subject

[5] Substantially identical with pt. B of G.A. resolution 2604 (XXIV), *post*, p. 722.

[1] A/C.1/PV. 1712, pp. 16–20.

[2] Identical with pt. A of G.A. resolution 2604 (XXIV), *post*, pp. 719–722.

[3] Substantially identical with pt. B of G.A. resolution 2604 (XXIV), *post*, p. 722.

with what, if I may say so, seems to us to be an artificial deadline coming in the middle of the summer. In fact, this would not facilitate the orderly work of the Conference of the Committee on Disarmament, but rather would tend to distract it from its substantive task and involve it in the task of preparing a progress report, which could consume considerable time and energy, without actually contributing, at all, to the objective, which is the negotiation of a verified comprehensive test ban.

For this reason, we would suggest—and urge—that the sponsors of this resolution agree to alter it by omitting several words from the final sentence of the last paragraph of the resolution, so that it would read simply . . . "and to report to the twenty-fifth session of the General Assembly on the results of their deliberations".[4]

Communique and Declaration of the North Atlantic Council, December 5, 1969 [1]

FINAL COMMUNIQUE

1. The North Atlantic Council met in Ministerial Session at Brussels on 4th and 5th December, 1969. The meeting was attended by Foreign, Defence and Finance Ministers.

2. Since the signing of the North Atlantic Treaty twenty years ago, the members of the Alliance have dedicated their efforts to the preservation of their freedom and security and to the improvement of East-West relations in the aim of reaching an ultimate peaceful solution of outstanding problems in Europe. They will continue to do so.

3. By approving in December 1967 the Report on the Future Tasks of the Alliance,[2] the Allied Governments resolved to maintain adequate military strength and political solidarity to deter aggression and other forms of pressure and to defend the territory of member countries if aggression should occur; and to examine suitable policies designed to achieve a just and stable order in Europe, to overcome the division of Germany and to foster European security.

4. On the basis of these two concepts of defence and the relaxation of tensions, the Ministers issued the Declaration attached to this Communiqué in which they set forth their views on the future development of relations between Eastern and Western countries.[3]

5. Ministers welcomed the opening of Strategic Arms Limitation Talks. They acknowledged the work in progress with regard to arms control on the sea bed, as well as the interest shown both by the Conference of the Committee on Disarmament and the United Nations in measures to deal with chemical and biological warfare. On all these questions the Council held detailed consultations which proved most useful in preparing the ground for the negotiations

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[4] This suggestion was not adopted.

[1] *Department of State Bulletin*, Dec. 29, 1969, pp. 627–630.

[2] *Documents on Disarmament, 1967*, pp. 676–681.

[3] *Infra.*

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taking place elsewhere. The Ministers invited the Council in Permanent Session to continue to examine these problems, and reaffirmed the importance of any genuine disarmament measure, consistent with the security of all states and guaranteed by adequate international control, for the reduction of tension and the consolidation of peace in Europe and the world.

6. The Ministers also studied a report by the Secretary General on the situation in the Mediterranean. Recalling the Communiqués issued on 27th [*25th*] June, 1968,[4] and 16th November, 1968,[5] they expressed the concern of their Governments with regard to the situation in that area. The Ministers reaffirmed the value of full consultations among the Allies on this question. Accordingly, they requested the Council in Permanent Session to pursue with the greatest attention its examination of the situation in the Mediterranean and to report to Ministers at their Spring Meeting.

7. In April 1969, Ministers called attention to the rôle the Alliance might play in tackling common environmental problems that could imperil the welfare and progress of modern societies.[6] Consequently, the Council in Permanent Session established a Committee on the Challenges of Modern Society. The new Committee, beginning with its first meeting on 8th December, will address these urgent problems with the aim of stimulating action by members of the Alliance, either singly, jointly or in international organizations. The Ministers at their Spring Meeting will receive the Committee's first report on the newest task of the Alliance.

8. Ministers of countries participating in NATO's integrated defence programme met as the Defence Planning Committee on 3rd December, 1969. As an introduction to their discussions the Secretary General and the Chairman of the Military Committee gave overall appraisals of the state of defence planning within the Alliance. Ministers thereafter reviewed the work accomplished since their previous meeting on 28th May, 1969, and gave directions for future work.

9. They agreed that the effectiveness of NATO's defensive posture continues to be an essential stabilising factor in support of the search for meaningful détente. Therefore, until agreement can be reached on East-West mutual force reductions, balanced in scope and timing so as to maintain the present degree of security, NATO will continue to ensure that there is no reduction in its overall military capability.

10. In reviewing Force Plans for 1970, Ministers were conscious of the necessity to maintain adequate and readily available forces both conventional and nuclear, in accordance with the NATO strategy, for the defence of the mainland of Europe and the whole NATO area. They took note of the positive outcome of consultations with the Canadian Authorities, concerning their forces for NATO, which were initiated following the Defence Planning Committee meeting of 28th May, 1969. Ministers committed forces for the year 1970 and endorsed a number of remedial measures necessary to maintain adequate forces in Central Europe; in addition further remedial measures are under consideration.

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[4] *Documents on Disarmament, 1968*, pp. 447–450.
[5] *Department of State Bulletin*, Dec. 9, 1968, pp. 595–597.
[6] *Ante*, p. 186.

11. They discussed measures required to implement the NATO strategy of forward defence based on flexibility in response, and arrangements for the reinforcement, in times of tension, of NATO's ready forces. They also noted a preliminary report on a comprehensive study which is being undertaken of the relative capabilities of the forces of NATO and the Warsaw Pact and gave instructions for the continuance of the study. In addition, Ministers reviewed the status of other defence planning studies including those for improved defence of the flanks.

12. The Ministerial Meeting also provided the Defence Ministers comprising the Nuclear Defence Affairs Committee (Belgium, Canada, Denmark, Germany, Greece, Italy, Netherlands, Norway, Portugal, Turkey, the United Kingdom and the United States) with the occasion to review work in progress in the Nuclear Planning Group during the past year and planned for the future. The Nuclear Defence Affairs Committee agreed that Canada, Germany, Italy, Netherlands, Norway, Turkey, the United Kingdom and the United States will compose the Nuclear Planning Group starting 1st January, 1970.

13. Acting on the recommendation of the Nuclear Defence Affairs Committee, the Defence Planning Committee adopted two policy documents originated by the Nuclear Planning Group at their meeting in the United States last November concerning general guidelines for nuclear consultation procedure and for the possible tactical use of nuclear weapons in defence of the Treaty area. These documents are based upon NATO's strategy of flexibility in response which was adopted in December 1967 and which remains unchanged.

14. The next Ministerial Meeting of the Defence Planning Committee will take place in the Spring of 1970.

15. The Spring Ministerial Meeting of the Council will be held in Italy on 26th and 27th May, 1970.

DECLARATION

1. Meeting at Brussels on 4th and 5th December, 1969, the Ministers of the North Atlantic Alliance reaffirmed the commitment of their nations to pursue effective policies directed towards a greater relaxation of tensions in their continuing search for a just and durable peace.

2. Peace and security in Europe must rest upon universal respect for the principles of sovereign equality, political independence and the territorial integrity of each European state; the right of its peoples to shape their own destinies; the peaceful settlement of disputes; nonintervention in the internal affairs of any state by any other state, whatever their political or social system; and the renunciation of the use of the threat of force against any state. Past experience has shown that there is, as yet, no common interpretation of these principles. The fundamental problems in Europe can be solved only on the basis of these principles and any real and lasting improvement of East-West relations presupposes respect for them without any conditions or reservations.

3. At their meeting in Washington in April 1969, Ministers had expressed the intention of their governments to explore with the Soviet Union and the other countries of Eastern Europe which concrete issues best lend themselves to fruitful negotiation and an early resolution.[7] To this end, the Council has been engaged in a detailed study of various issues for exploration and possible negotiation. Ministers recognized that procedure merited closer examination and, accordingly, requested the Council in Permanent Session to report to the next Ministerial Meeting.

4. Ministers considered that, in an era of negotiation, it should be possible, by means of discussion of specific and well-defined subjects, progressively to reduce tensions. This would in itself facilitate discussion of the more fundamental questions.

Arms Control and Disarmament

5. Ministers again expressed the interest of the Alliance in arms control and disarmament and recalled the Declaration on mutual and balanced force reductions adopted at Reykjavik in 1968[8] and reaffirmed in Washington in 1969. The Members of the Alliance have noted that up to now this suggestion has led to no result. The Allies, nevertheless, have continued, and will continue, their studies in order to prepare a realistic basis for active exploration at an early date and thereby establish whether it could serve as a starting point for fruitful negotiations. They requested that a report of the Council in Permanent Session on the preparation of models for mutual and balanced force reductions be submitted as soon as possible.

6. Ministers of countries participating in NATO's integrated defence programme consider that the studies on mutual and balanced force reductions have progressed sufficiently to permit the establishment of certain criteria which, in their view, such reductions should meet. Significant reductions under adequate verification and control would be envisaged under any agreement on mutual and balanced force reductions, which should also be consistent with the vital security interests of all parties. This would be another concrete step in advancing "along the road of ending the arms race and of general and complete disarmament, including nuclear disarmament".

7. These Ministers directed that further studies should be given to measures which could accompany or follow agreement on mutual and balanced force reductions. Such measures could include advance notification of military movements and manoeuvres, exchange of observers at military manoeuvres and possibly the establishment of observation posts. Examination of the techniques and methods of inspection should also be further developed.

Germany and Berlin

8. The Ministers welcome the efforts of the governments of the United States, Great Britain, and France, in the framework of their special responsibility for Berlin and Germany as a whole, to gain the co-operation of the Soviet Union in improving the situation with respect to Berlin and free access to the city. The elimination of diffi-

[7] *Ante*, pp. 184–187.
[8] *Documents on Disarmament, 1967*, pp. 447–450.

culties created in the past with respect to Berlin, especially with regard to access, would increase the prospects for serious discussions on the other concrete issues which continue to divide East and West. Furthermore, Berlin could play a constructive rôle in the expansion of East-West economic relations if the city's trade with the East could be facilitated.

9. A just and lasting peace settlement for Germany must be based on the free decision of the German people and on the interests of European security. The Ministers are convinced that, pending such a settlement, the proposals of the Federal Republic for a modus vivendi between the two parts of Germany and for a bilateral exchange of declarations on the non-use of force or the threat of force would, if they receive a positive response, substantially facilitate co-operation between East and West on other problems. They consider that these efforts by the Federal Republic represent constructive steps toward relaxation of tension in Europe and express the hope that the governments will therefore take them into account in forming their own attitude toward the German question.

10. The Ministers would regard concrete progress in both these fields as an important contribution to peace in Europe. They are bound to attach great weight to the responses to these proposals in evaluating the prospects for negotiations looking toward improved relations and co-operation in Europe.

Economic, technical and cultural exchanges

11. Allied governments consider that not only economic and technical but also cultural exchanges between interested countries can bring mutual benefit and understanding. In these fields more could be achieved by freer movement of people, ideas and information between the countries of East and West.

12. The benefit of the Alliance's work in the field of human environment would be enhanced if it were to become the basis of broader co-operation. This could, and should, be an early objective, being one in which the Warsaw Pact governments have indicated an interest. Further co-operation could also be undertaken, for example, in the more specialized field of oceanography. More intensive efforts in such fields should be pursued either bilaterally, multilaterally or in the framework of existing international bodies comprising interested countries.

Perspectives for negotiations

13. The Ministers considered that the concrete issues concerning European security and co-operation mentioned in this Declaration are subjects lending themselves to possible discussions or negotiations with the Soviet Union and the other countries of Eastern Europe. The Allied governments will continue and intensify their contacts, discussions or negotiations through all appropriate channels, bilateral or multilateral, believing that progress is most likely to be achieved by choosing in each instance the means most suitable for the subject. Ministers therefore expressed their support for bilateral initiatives undertaken by the German Federal Government with the Soviet Union and other countries of Eastern Europe, looking toward agree-

ments on the renunciation of force and the threat of force. Ministers expressed the hope that existing contacts will be developed so as to enable all countries concerned to participate in discussions and negotiations on substantial problems of co-operation and security in Europe with real prospects of success.

14. The Members of the Alliance remain receptive to signs of willingness on the part of the Soviet Union and other Eastern European countries to discuss measures to reduce tension and promote co-operation in Europe and to take constructive actions to this end. They have noted in this connection references made by these countries to the possibility of holding an early conference on European security. Ministers agreed that careful advance preparation and prospects of concrete results would in any case be essential. Ministers consider that, as part of a comprehensive approach, progress in the bilateral and multilateral discussions and negotiations which have already begun, or could begin shortly, and which relate to fundamental problems of European security, would make a major contribution to improving the political atmosphere in Europe. Progress in these discussions and negotiations would help to ensure the success of any eventual conference in which, of course, the North American members of the Alliance would participate, to discuss and negotiate substantial problems of co-operation and security in Europe.

15. The Ministers affirmed that, in considering all constructive possibilities, including a general conference or conferences, they will wish to assure that any such meeting should not serve to ratify the present division of Europe and should be the result of a common effort among all interested countries to tackle the problems which separate them.

Address by Secretary of State Rogers to the Belgo-American Association at Brussels, December 6, 1969 [1]

This audience is a particularly appropriate forum for a brief discussion of certain policies of the United States, and I am honored to be here tonight.

You are well aware of the steadily rising flow of commerce, of ideas, and of men across the Atlantic—the joining of Americans and Europeans in industrial and commercial enterprises, the emergence of an Atlantic market in investment capital. About a third of United States world trade is with Western Europe. These developments since the Second World War have immensely deepened the bonds between the Old World and the New.

Indeed, the expanding bonds between Europe and America are among the most significant developments in world affairs. They are also a model of constructive international cooperation.

It is now nearly 20 years since President Truman authorized a return of United States military forces to Europe to join with our allies in creating a collective security system. That system has safe-

[1] *Department of State Bulletin*, Dec. 29, 1969, pp. 622–625.

guarded Europe ever since. However, because there have been great changes in the world since then, some are asking whether the time has not come for American forces to be brought back home.

The answer that I can give you tonight is no. The judgment of the President of the United States is that the commitment to NATO must remain in force and must remain strong. This judgment is shared by the majority of Americans. It is clear, too, from our recent NATO meetings, that it is shared by our European allies.

As we enter an era of negotiation both our allies and our adversaries must have no doubts about our continuing commitment to Western Europe. And I am happy tonight to be able to give you that assurance.

We recognize today, as we did in 1950, that Europe, more than any other region in the world, is vital to U.S. security. In the words of the President: "We in America continue to consider Europe's security to be our own." [2] Because we believe this, we intend to maintain substantial levels of forces in Europe and we have made clear our intention to maintain our combat forces in Europe at essentially present levels until at least the middle of 1971.

But those of my countrymen who believe that our forces in Europe should be reduced argue that Americans are shouldering more than their fair share of the total Western security burden. They say that a more equitable sharing of that burden, taking into account the added potential of the European allies in the last decade, is feasible.

We recognize that our NATO allies spent over $24 billion for defense in 1968 and that they maintain more than 2 million men under arms. But we also believe that those in America who call for a greater European contribution to the costs of maintaining our common security have a point. It is generally recognized, not only in America but in Europe, that the burden is not now equitably shared.

Progress in redressing that balance will permit the United States to be better able to maintain its own commitment of forces in Europe. And progress is being made. Ten NATO nations have agreed to increase defense spending substantially next year; during the ministerial meeting a number of countries agreed to expand their air defense system; others agreed to increase the commitment of existing national forces to NATO command. So I think it is fair to say that we are working in harmony in NATO and that NATO will be able to maintain peace in the area.

It is quite clear, and recognized by all NATO countries, that strong deterrent forces are necessary for our collective security. But we must constantly seek to strengthen our security further by working to eliminate those issues which make for insecurity.

We believe there may be an opportunity now to inaugurate a period of negotiations over these issues.

It is important, however, that certain fundamental principles must be adhered to before negotiations begin:

First, whatever kind of negotiations NATO allies enter into, individually or together, there must be the closest consultation among them.

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[2] *Ante*, p. 174.

Second, we must maintain the military strength of our alliance until such time as we may be able to reach agreements on mutual and balanced force reductions.

Third, we must be careful not to confuse the process of negotiation with real progress toward agreements, and we must not lull ourselves into a false sense of *détente*.

As you know, the United States has already entered into a number of negotiations and is prepared to enter into others as long as there are prospects for achieving meaningful agreements. We have felt, for example, that there might be prospects for useful negotiations in the armaments field, where mutual interests clearly exist.

—Within recent days, with ratifications by the United States and the Soviet Union and signature by the Federal Republic of Germany, we are close to putting into effect the Nuclear Nonproliferation Treaty,[3] the valuable product of a long process of negotiation.

—The United States and the Soviet Union have agreed, and placed before the United Nations General Assembly, a draft treaty to ban the emplacement of nuclear weapons on the ocean floors,[4] as we already have banned them from orbit in outer space.

—We have been engaged for the past 3 weeks in the preliminary phase of strategic arms limitation talks with the Soviet Union. We are serious about these strategic arms talks. We want to put an end to the competitive accumulation of ever more sophisticated weapons systems which can no longer add significantly to the security of either side. We want to limit, and if possible reduce on both sides, inventories of strategic weapons. The preliminary talks in Helsinki have gotten off to a good start. The atmosphere has been businesslike and without polemics. We expect the preliminary round to conclude in a couple of weeks, thereby providing the basis for proceeding soon to substantive talks.

These steps to prevent the spread and to curb the level of nuclear armament necessarily involve bilateral negotiations between the major nuclear powers. We will consult fully with our Atlantic allies, and we will take no steps which would weaken their security—which is, after all, our security.

At the same time, the search for solutions to the political questions which still divide Europe is a fundamental task of the alliance. It is one which the allies have given an importance equal to the task of military deterrence. This has been consistent NATO policy since adoption of the 1967 NATO study on the Future Tasks of the Alliance,[5] undertaken at the suggestion of Belgium's distinguished Foreign Minister Pierre Harmel.

For many years NATO has given serious study to the difficult question of how security in Europe, now sustained by a high balance of armaments, could be maintained at a lower and less expensive level of arms on both sides. Since June 1968, it has explicitly stated its belief that mutual force reductions could significantly contribute to lessening of tensions.

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[3] *Documents on Disarmament, 1968*, pp. 461–465.
[4] *Ante*, pp. 507–509.
[5] *Documents on Disarmament, 1967*, pp. 679–681.

Yesterday, the NATO Foreign Ministers issued a declaration in which they noted the lack of response to our offer to work toward a mutual and balanced reduction of forces on either side of the line which still arbitrarily and unnaturally divides Europe.

Nevertheless, in the hope that at some time we might receive a positive response from the other side, we have now instructed the NATO authorities concerned to prepare specific models of such reductions and have reaffirmed our belief that an agreement in this field would be another concrete step toward ending the arms race. We hope that the Warsaw Pact nations will in time indicate interest in this proposal.

Meanwhile, the three powers with special responsibilities in Germany are seeking discussions with the Soviet Union to bring about an improvement in the situation of Berlin. And the Federal Republic of Germany has taken useful new initiatives to establish contacts with Eastern European states and with Eastern Germany in an effort to surmount obstacles which have caused severe tension in the political life in Central Europe for a generation.

We will continue to probe every available opening that offers a prospect for better East-West relations, for the resolution of problems large or small, for greater security for all. In this the United States will continue to play an active role in concert with our allies.

The West has taken many initiatives in the search for lasting security in Europe. The allies already have named a number of areas which provide ample opportunity for the Warsaw Pact to show interest in constructive negotiations. We would welcome, for example:

—A demonstration of Soviet willingness toward improving the situation in and around Berlin.

—Constructive responses to the Federal Republic's efforts toward an improved *modus vivendi* between the two parts of Germany and bilateral agreements on the nonuse of force.

—A positive Warsaw Pact response to our repeated proposals for mutual and balanced force reductions.

But while NATO has identified issues on which East and West might negotiate to achieve an increase in security and a reduction in tensions, what has been the Warsaw Pact's response? It has proposed a European security conference based on what appears to be a nebulous and imprecise agenda.[6]

What does the Soviet Union want to achieve by proposing such a conference?

Does it want to deal realistically with the issues which divide Europe, or does it seek to ratify the existing division of Europe?

Does it intend to draw a veil over its subjugation of Czechoslovakia?

Does it wish to use a conference to strengthen its control over the trade policies of other members of the Warsaw Pact?

Does it wish to seek to retain the right to intervene in Eastern Europe?

These are questions that have to be answered before meaningful negotiations can be entered into.

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[6] See *ante*, pp. 106–109.

We, of course, want a better European security system than the one we have, if that can be found.

We want to resolve the basic political issues.

But the Warsaw Pact proposals do not deal with these fundamental questions. What is proposed cannot properly be described as a security conference at all. The Warsaw Pact countries have suggested merely (1) that a conference discuss an East-West agreement on the principle of nonuse of force—which has been a basic principle of the United Nations Charter for over 20 years, so that another pronouncement of the nonuse of force would have no meaning—and (2) increased trade and technical exchanges, for which regular diplomatic channels are always available.

We are opposed in practice to an unrealistic and premature exercise which could lead to disappointment and quite possibly a deterioration in East-West relations.

We would favor a negotiation that holds out realistic hope for a reduction of tensions in Europe. But we will not participate in a conference which has the effect of ratifying or acquiescing in the Brezhnev doctrine.

I have referred several times to the importance of a strong and healthy Western alliance. My NATO colleagues and I have just had a most successful ministerial meeting.

We cooperate not only in common defense but in common search for positive solutions to political problems. I believe that in the process the political arm of the alliance is developing a capacity for creative diplomacy which is just as unprecedented as the unity developed for collective security.

There is now yet another dimension of our alliance which should appeal to people on both sides of the Atlantic. We have come to recognize that we had better make certain that what we have been defending has been worth the effort.

There is an awakening in our societies to the degradation of our environment. The North Atlantic Council has decided to work together in seeking ways not only to defend but to improve our environment and the quality of human life for our people. Next week, experts from the NATO countries will assemble in Brussels, in the first meeting of NATO's Committee on the Challenges of Modern Society, to launch this constructive and creative new work of the alliance.

I could not leave Brussels, the capital of the European Community, without noting that the United States welcomes the renewed impetus from The Hague this week toward broadening and deepening the unification of Europe. We see this as a major step toward realization of the full constructive potential of Europe. An enlarged European Community would reflect more accurately than is now the case the reality of Europe's collective influence and potential, not only in an Atlantic context but in world affairs in general.

Let me close now by speaking about another matter which is of concern to many Europeans. Is the United States in the process of disengaging from its obligations to the international community? Is there a danger of a growing "neoisolationism" in the United States?

Here again, the answer is no. It is true that there is anxiety on the part of many Americans, reflected especially in statements by Mem-

bers of the Congress, about what they see as overextended American commitments around the world. There is a growing sense of urgency about the critical problems of the cities at home and about the anachronism of pockets of poverty in the midst of abundance. This, of course, is reinforced by the problems stemming from our commitment to the people of the Republic of Viet-Nam. These concerns tend to divert attention of some of our people away from world affairs and stimulate a tendency to look inward.

It is a fact that the time has come when American "presence" abroad will be looked at more critically in our Congress. The administration, too, will continue to review our policies in the light of current requirements. In Asia, for example, while we fully intend to meet our commitments—and we have treaty responsibilities in Asia, and we will meet them—we believe that a greater share of the burden of security should be assumed by Asians.

It would, however, be entirely wrong to think about this as a return to, or even toward, a new isolationism. It is practical internationalism adapted to the changing needs of our times.

In the age of space the American people are more aware than ever that the world is unitary. The Government of the United States is more conscious than ever of the fact of interdependence among nations.

The problems that we have relate to our desire to reduce our presence abroad. We have no interest in domination. Wherever we have indicated a desire to reduce our presence, the people affected have indicated that they want us to stay. The problem of the Soviet Union is just the reverse. They want to stay in areas where the people affected clearly prefer that they not stay.

We believe—and our policies will continue to be based on the belief —that we must maintain our active involvement in the international community as a necessary condition in support of world order in the decades ahead.

News Conference Remarks by President Nixon on Strategic Arms Limitation Talks [Extract], December 8, 1969 [1]

STRATEGIC ARMS LIMITATION TALKS

Q. The United States today asked for a postponement in the SALT talks, the strategic arms talks. Can you tell us why and assess the talks for us, please?

The President: Well, the postponement does not have any long-range significance. It is only for the purpose of developing positions in a proper way. As far as the progress is concerned, I would say it is encouraging. I say that somewhat cautiously, because I would not want to leave out the hope that we would have an agreement within a matter of weeks or even months.

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[1] *Department of State Bulletin*, Dec. 29, 1969, pp. 618–619.

But it is encouraging because both sides are presenting positions in a very serious way and are not trying to make propaganda out of their positions. Both sides, I believe therefore, want a limitation on strategic arms. As long as this is the case, there is a chance for an agreement.

Now, it is going to take some time, because what is involved here—as distinguished from the test ban, as distinguished from the Non-proliferation Treaty, both of which were important but which were basically peripheral issues—here you have the basic security of the United States of America and the Soviet Union involved. Therefore, both must bargain hard. But I believe that the progress to date has been good. The prospects are better than I anticipated they would be when the talks began.

Italian Draft Resolution Introduced in the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 8, 1969 [1]

The General Assembly,

Recognizing the importance of the Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or other Gases, and of Bacteriological Methods of Warfare signed at Geneva on 17 June 1925,[2]

Recalling its Resolutions 2162 (XXI) of 15 December 1966 [3] and 2454 A (XXIII) of 20 December 1968,[4] whereby it called anew for strict observance by all States of the principles and objectives of the Geneva Protocol and it invited all States to accede to the same Protocol,

Congratulating the Secretary-General on the Report dated 1 July 1969 on chemical and bacteriological (biological) weapons and the effects of their possible use (A/7575),[5]

Having considered the Report of the CCD on the preliminary consideration of the action to be taken in the light of the Report of the Secretary-General,[6]

Welcoming the initiatives taken by several Governments in the field of the prohibition of chemical and bacteriological (biological) weapons,

Fully conscious of the need to preserve the inviolability of the Geneva Protocol and to ensure its universal application,

Urges again all States to accede to the Geneva Protocol,

Invites all parties to the Geneva Protocol to consider that, in the meantime, the prohibition contained therein applies vis-à-vis all countries which refrain from infringing the provisions of the Protocol.

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[1] A/C.1/L.498, Dec. 8, 1969. The Italian representative informed the First Committee on Dec. 10 that he would not seek a vote on this resolution.

[2] *Post*, pp. 764–765.

[3] *Documents on Disarmament, 1966*, pp. 798–799.

[4] *Ibid., 1968*, pp. 793–795.

[5] *Ante*, pp. 264–298.

[6] See *ante*, pp. 517–526.

Tripartite Draft Resolution Introduced in the First Committee of the General Assembly: Question of General and Complete Disarmament, December 8, 1969 [1]

The General Assembly,

Reaffirming its resolution 1378 (XIV) of 20 November 1959, in which it considered that the question of general and complete disarmament is the most important one facing the world today,[2]

Reaffirming further the responsibility of the United Nations in the attainment of disarmament,

Recalling its resolution 1722 (XVI) of 20 December 1961,[3] by which it welcomed the joint statement on agreed principles for disarmament negotiations submitted on 20 September 1961, by the USSR and the USA,[4] and reaffirming the recommendation that further disarmament negotiations be based on those principles,

Recalling its resolution 2454 B (XXIII) of 20 December 1968,[5] whereby it requested the Conference of the Eighteen-Nation Disarmament Committee to pursue renewed efforts towards achieving substantial progress in reaching agreement on the question of general and complete disarmament under effective international control, and to continue its urgent efforts to negotiate collateral measures of disarmament,

Convinced that the process of disarmament would be encouraged and stimulated by the entry into force at the earliest possible stage and the strengthening of multilateral international instruments in the field of disarmament,

Convinced that the participation of all nuclear Powers in the efforts to contain the nuclear arms race and to reduce and eliminate all armaments is indispensable for a full measure of success in these efforts,

Convinced that peace and security, like development in the world, are indivisible and recognizing the universal responsibilities and obligations in this regard,

Further convinced of the need to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a Treaty on general and complete disarmament under strict and effective international control,

Having received the report of the Conference of the Committee on Disarmament (document A/7741),[6]

Noting that, in spite of the fact that some limited progress has been accomplished during the past two sessions of the Conference of the Committee on Disarmament both in specific fields and in the general

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[1] A/C.1/L.499, Dec. 8, 1969. The draft resolution was cosponsored by Ireland, Italy, and Japan. The sponsors later accepted the amendments proposed by Cyprus and Ghana (*post*, p. 637) and most of the amendments proposed by seven powers (*post*, p. 644). The resolution as amended became pt. E of G.A. resolution 2602 (XXIV), *post*, pp. 713–715.

[2] *Documents on Disarmament, 1945–1959*, vol. II, p. 1545.

[3] *Ibid., 1961*, pp. 741–742.

[4] *Ibid.*, pp. 439–442.

[5] *Ibid., 1968*, pp. 795–796.

[6] *Ante*, pp. 517–526.

approach to the disarmament question, an imbalance still exists between the magnitude of the tasks in front of the Conference and the achievements so far reached, having in mind in particular the danger of a new spiral in the nuclear arms race,

Believing that the diversion of enormous resources and energy, human and material, from peaceful economic and social pursuits to unproductive and wasteful military purposes places a great burden on both the developing and developed countries and was an important factor in the failure to make greater progress in the advancement of the developing countries during the First United Nations Development Decade,

Believing that the security and the economic and social well-being of all countries would be tremendously enhanced as progress is made towards the goal of general and complete disarmament,

Reaffirming its resolution 2499 (XXIV) of 31 October 1969, and in particular its paragraph 9, endorsing the call of the Secretary-General for the proclamation of a Disarmament Decade, and its paragraph 17 which appeals to Member States to consider the possibility of signing or ratifying the multilateral international instruments in the field of disarmament,[7]

1. *Resolves* to dedicate the Decade of the 1970s as a Disarmament Decade;

2. *Calls on* Governments to intensify without delay their concerted and concentrated efforts for effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament and elimination of other weapons of mass destruction, and for a Treaty on general and complete disarmament under strict and effective international control;

3. *Requests* the Conference of the Committee on Disarmament to resume its work as early as possible, along the lines set forth in paragraph 37 of its report to the General Assembly, bearing in mind that the ultimate goal is general and complete disarmament;

4. *Further requests* the Conference of the Committee on Disarmament, while continuing intensive negotiations with a view to reaching the widest possible agreement on collateral measures, at the same time to work towards a comprehensive programme, dealing with all aspects of the problem of the cessation of the armaments race and disarmament, which would provide the Conference with a guideline charting the course of its further work and of its further negotiations, and report thereon to the twenty-fifth General Assembly;

5. *Decides* to this effect to draw the attention of the Conference of the Committee on Disarmament to all pertinent proposals and suggestions formulated during the debates on disarmament, referring to the Conference all documents and records of the meetings of the First Committee relating to the disarmament items;

6. *Recommends* further that consideration be given to channelling a substantial part of the resources freed by measures in the field of disarmament to promote the economic development of developing countries and, in particular, their scientific and technological progress;

7. *Requests* the Secretary-General and the Governments to publicize the Disarmament Decade by all appropriate means at their dis-

[7] Not printed here.

posal in order to acquaint public opinion with its purposes and objectives and with the negotiations and developments related thereto;

8. *Requests* the Secretary-General to provide all appropriate facilities and assistance with a view to furthering the fullest implementation of this resolution.

Five-Nation Amendments to the Fifteen-Nation Draft Resolution, December 8, 1969 [1]

1. Delete the third and fourth preambular paragraphs.
2. Replace the operative paragraph by the following:

1. *Expresses* its sincere hope that these talks will, in due course, lead to substantial agreements on the limitation and subsequent reduction of strategic armaments;

2. *Calls upon* the Union of Soviet Socialist Republics and the United States of America to refrain from any action which might be prejudicial to the achievement of this aim.

Cypriot–Ghanaian Amendments to the Tripartite Draft Resolution, December 8, 1969 [1]

1. Replace the tenth preambular paragraph by the following:

Bearing in mind the grave dangers involved in the development of nuclear weapons, through a spiralling nuclear arms race.

2. In operative paragraph 4, 3rd line, the word "towards" should be replaced by the word "out".

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[1] A/C.1/L.501, Dec. 8, 1969. The amendments were cosponsored by Canada, Hungary, Netherlands, Poland, and the U.K. For the fifteen-nation proposal, see *ante*, p. 595. The First Committee rejected the amendments on Dec. 9, by a vote of 50 to 40, with 16 abstentions:

For—Australia, Austria, Belgium, Bulgaria, Byelorussian S.S.R., Cameroon, Canada, Central African Republic, Chad, China, Congo (Democratic Republic of), Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Israel, Italy, Japan, Laos, Liberia, Madagascar, Mauritius, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, South Africa, Swaziland, Turkey, Ukrainian S.S.R., U.S.S.R., U.K., U.S., Uruguay.

Against—Algeria, Argentina, Bolivia, Brazil, Burma, Burundi, Ceylon, Chile, Costa Rica, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Ghana, Guatemala, Honduras, India, Indonesia, Ireland, Jordan, Kenya, Kuwait, Lebanon, Libya, Mali, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Rwanda, Saudi Arabia, Singapore, Somalia, Sudan, Sweden, Uganda, U.A.R., United Republic of Tanzania, Venezuela, Yugoslavia, Zambia.

Abstaining—Afghanistan, Cuba, Guyana, Iran, Ivory Coast, Jamaica, Malaysia, Maldives, Malta, Senegal, Spain, Syria, Thailand, Togo, Trinidad and Tobago, Tunisia.

[1] A/C.1/L.503, Dec. 8, 1969. These amendments, and most of the seven-power amendments (*post*, p. 644) were accepted by the sponsors of the tripartite draft resolution (*ante*, pp. 588–590) on Dec. 9. The amended resolution became pt. E of G.A. resolution 2602 (XXIV); *post*, pp. 713–715.

Statement by the Italian Representative (Vinci) to the First Committee of the General Assembly, December 8, 1969 [1]

Mr. Chairman, I wish to ask your indulgence and that of all members of the Committee if I take a little more time. I understand that tomorrow we may proceed to the vote on several draft resolutions on general and complete disarmament, so I thought that, even at this late hour, it would be helpful to all delegations if I could introduce the two draft resolutions that were submitted this morning. I refer to draft resolutions contained in documents A/C.1/L.498 and A/C.1/L.499, which were circulated this afternoon.

I shall start by speaking of draft resolution A/C.1/L.499, co-sponsored by Ireland, Japan and Italy.[2] We have been encouraged to take this initiative by the recurrent references made to general and complete disarmament in the course of the general debate that has taken place in the last three weeks on disarmament items. We have heard many delegations stress this point during this most constructive debate and, if we understood well the views expressed in this Committee, they also stressed the fundamental importance they give to it as a means providing new impetus to the negotiations on disarmament.

General Assembly resolution 2454 B (XXIII), adopted on 20 December 1968, was, in fact, recalled in a number of statements. In that resolution, as we all remember, the General Assembly requested

> . . . the Conference of the Eighteen-Nation Committee on Disarmament to make renewed efforts towards achieving substantial progress in reaching agreement on the question of general and complete disarmament under effective international control . . .
>
> *Further requests* the Conference of the Eighteen-Nation Committee on Disarmament to continue its urgent efforts to negotiate collateral measures of disarmament.[3]

I would not go as far as some representatives who have stated that, since the adoption of the above-quoted resolution, no progress has been achieved along the lines then advocated. My delegation is not so pessimistic. In my statement of 20 November, I mentioned that, on the contrary, we believe some steps forward have been taken during the last two sessions of the Conference of the Committee on Disarmament in specific fields and in the general approach to the problem of disarmament, very small steps, it is true, but nevertheless potentially significant. They are not meaningless, especially if we consider realistically how long the road ahead of us is and the many hurdles, military, political and psychological, on it. But from what we have heard, we believe even more that the present moment is a propitious one for renewed efforts in the field of disarmament.

Most of the speakers who have taken part in the general debate did not fail to refer to two recent events of great political significance which could brighten the prospects for our endeavour: the beginning

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[1] A/C.1/PV.1714, pp. 46–53.
[2] *Ante*, pp. 635–637.
[3] *Documents on Disarmament, 1968*, pp. 795–796.

of the strategic arms limitation talks between the United States of America and the Soviet Union and the decision of the two major nuclear Powers to ratify the Treaty on non-proliferation. Since I did not have an opportunity to do so before, I wish now to join previous speakers in expressing the congratulations of the Italian Government to the United States and Soviet Governments for the latter important decision, which could open the way for the entry into force at an early date of the Treaty on non-proliferation.

The developments to which I have referred have created a favourable climate for the work undertaken by this Committee during the current session of the General Assembly. For its part, the Italian delegation has felt encouraged, as I have said, to avail itself of the positive moment, which could very well turn out to be, in accordance with the general wishes of our people, a new momentum in our common enterprise in this field.

We have therefore decided to join our efforts with those of other delegations which are equally anxious to make an attempt to move forward in the path already traced by General Assembly resolution 2454 (XXIII) and to produce a new resolution that will embody the largest possible measure of consensus on the major problems of disarmament negotiations. The result of our efforts is represented by the draft resolution contained in document A/C.1/L.499, which I have the honour to introduce in this Committee today.

First of all, I wish to draw the Committee's attention to those paragraphs of the draft resolution which its co-sponsors regard as the essential ones—I refer to operative paragraphs 3 and 4, which read:

3. *Requests* the Conference of the Committee on Disarmament to resume its work as early as possible, along the lines set forth in paragraph 37 of its report to the General Assembly, bearing in mind that the ultimate goal is general and complete disarmament;

4. *Further requests* the Conference of the Committee on Disarmament, while continuing intensive negotiations with a view to reaching the widest possible agreement on collateral measures, at the same time to work towards a comprehensive programme, dealing with all aspects of the problem of the cessation of the armaments race and disarmament, which would provide the Conference with a guideline charting the course of its further work and of its further negotiations, and report thereon to the twenty-fifth General Assembly.

In our view, these paragraphs represent a follow-up of General Assembly resolution 2454 (XXIII). The delegations sponsoring this draft resolution have been inspired in putting forward this formulation by a desire to promote a more comprehensive approach to the problem of disarmament negotiations. We feel that such a formulation would stimulate new initiatives, encourage more decisive efforts and give a clear view of the path which is being, or is to be, followed, without taking our feet off the solid ground where something can be negotiated effectively and agreed upon now. In other words, a parallel action in both fields—general and complete disarmament and partial measures—would be mutually beneficial.

We do know from experience that while too ambitious schemes and designs are of no real assistance around the negotiating table, negotiations carried on without some insight of the process being followed or the final goal of those negotiations give rise to doubts and scepticism.

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Furthermore they risk remaining fruitless, creating imbalance or producing mere technical results void of real political meaning.

That is why it seems to us that the correct approach should aim, in fact, at pursuing negotiations of collateral measures, the implementation of which would pave the way to the beginning of the real disarmament process and, at the same time, of seeking an understanding on the guidelines charting the course towards measures of real disarmament.

Let me recall, in this connexion, what was said by the Italian Minister for Foreign Affairs, Senor Aldo Moro, in a statement on 8 October 1969, before the General Assembly:

> Precisely in response to the General Assembly's appeal, the Italian Government took the initiative at Geneva and, in the form of a specific working document, submitted a proposal for the discussion of an organic disarmament programme. We aim at the opening of discussions on a programme which establishes the directives for the inauguration and successive development of the disarmament process. In such a programme, which could form part of a "Disarmament Decade", which the Secretary-General has so brilliantly proposed in his Annual Report, we hope to see plans made for the beginning of negotiations on arms reduction, which would constitute the first phase of the process.[4]

The Italian delegation was gratified to note that the same concepts explained by our Minister for Foreign Affairs were echoed by other delegates during the course of the debate when they emphasized the need to start discussions in Geneva for the elaboration of a comprehensive programme.

The request contained in paragraph 4 of the draft resolution referring to the elaboration of such a programme is, in fact, inspired by what was stated in the report of the Conference of the Committee on Disarmament in paragraph 37, which recognizes the need for ". . . maintaining balance among various measures to prevent armament, to limit armament and of disarmament."[5]

We believe that the Conference of the Committee on Disarmament, by capitalizing on the agreement which has already been reached on this approach, and guided by the new resolution which, we hope, will be approved by the General Assembly, will be able to make progress, during the next year, along those lines, and we firmly hope that, in so doing, we shall come closer to an understanding on how the comprehensive programme should be worked out so as to provide in realistic but effective terms, a helpful incentive to the present negotiations on disarmament. I have no doubts that the Conference of the Committee on Disarmament would encounter the most gratified response of the General Assembly and of the peoples of the world should it be able, next year, to report that meaningful progress has been achieved in this direction.

With your permission, I shall now comment briefly on other points of the draft resolution. The first four paragraphs of the preamble are intended to reaffirm and recall previous resolutions of the General Assembly directly related to the subject of the present draft. The fifth

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[4] A/PV.1783 (prov.), pp. 13–15.
[5] *Ante*, p. 522.

and sixth preambular paragraphs point out two important conditions pertaining to the success of any endeavour in the disarmament field; notably, that the new multilateral international agreements which have been reached in this field should enter into force without delay and that all nuclear Powers should join their efforts in the common intent of curbing the nuclear arms race and attaining disarmament.

The seventh and eighth preambular paragraphs stress anew two basic concepts which are respectively contained in the Declaration of the Conference of Non-Nuclear-Weapon States [6] and endorsed by General Assembly resolution 2456 A (XXIII) [7] and in the Treaty on the Non-Proliferation of Nuclear Weapons.[8]

The ninth and tenth preambular paragraphs refer to the report submitted to the General Assembly by the Conference of the Committee on Disarmament.

The eleventh and twelfth preambular paragraphs reaffirm the connexion which exists between disarmament and economic and social advancement, in particular, of the developing countries.

The thirteenth preambular paragraph endorses the call of the Secretary-General of the United Nations for the proclamation of a "Disarmament Decade" and contains an appeal to Member States in favour of signature and ratification of multilateral international instruments in the field of disarmament.

In the operative part, paragraphs 1 and 7 concern the dedication of the Decade of the 1970s as a "Disarmament Decade".

Paragraph 2 is self-explanatory. It contains an appeal to Governments to intensify, without delay, their concerted and concentrated efforts in the field of disarmament.

Paragraphs 3, 4 and 5 refer to the Conference of the Committee on Disarmament, and I have already commented upon them.

Paragraph 6 concerns the economic advancement of developing countries, which could greatly benefit from any substantial progress in the field of disarmament.

Finally, paragraph 8 requests the Secretary-General to provide all appropriate facilities and assistance with a view to furthering the fullest implementation of the resolution.

We are, of course, ready to give any further clarifications which might be requested by other delegations with the hope that our draft resolution will meet the general feelings and expectations of this Committee in its endeavour to promote, at the earliest possible stage, a historic switch from the limitation of armaments to real measures of disarmament which alone can enable the international community to meet the tremendous challenges of our troubled world.

I have spoken on this draft resolution A/C.1/L.499 and I shall wait until tomorrow to speak on the introduction to the other draft resolution, which is on chemical and bacteriological weapons.[9]

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[6] *Documents on Disarmament, 1968*, pp. 697 ff.
[7] *Ibid.*, pp. 797–799.
[8] *Ibid.*, pp. 461–465.
[9] See *post*, pp. 659–662.

Statement by the Netherlands Representative (Eschauzier) to the First Committee of the General Assembly: Moratorium and Strategic Arms Limitation Talks, December 8, 1969 [1]

My delegation should like to introduce document A/C.1/L.501,[2] containing an amendment to resolution A/C.1/L.490, concerning a moratorium on the further testing and deployment of new offensive and defensive strategic nuclear weapons.[3] I submit this resolution on behalf of five delegations, but before proceeding to explain what motivated us to present this amendment, I should like to apologize to the Committee for the fact that we did so at such a late stage in our debate. The fact is, however, that over the past few days consultations have taken place with the twelve sponsors of resolution A/C.1/L.490 in a most friendly spirit, but they did not lead to a common viewpoint.

I should like to make it clear from the outset that I have the greatest respect for the high motives and the genuine concern which prompted the co-sponsors of resolution A/C.1/L.490 to present that resolution. Speaking for myself, I believe that we share the same objectives; the only difference seems to be that of the best way to achieve those aims. There is a bifurcation of the road.

In my intervention during the general debate, I made it quite clear that the Netherlands delegation regards the decision taken by the Governments of the United States and the Soviet Union as the most important and momentous event which may lead to a turn for the better. It augurs well for the prospects of the limitation and subsequent reduction of strategic armaments.

At the same time, however, I felt duty bound to sound a note of warning, and to express our sincere conviction that, in respect to the high complexity of the matters now being discussed in preliminary talks at Helsinki—being watched and touched upon by the representatives of the two big Powers—it would be undesirable to make any recommendations of a specific character. The effect of such recommendations might be to direct the negotiations between the two major nuclear Powers towards one particular facet of the whole range of the broad area of subjects which have to be encompassed in connexion with the most important question of how to achieve—and I repeat—the limitation and subsequent reduction of strategic armaments.

Such a recommendation, in our view, might well have the effect of hampering rather than promoting the negotiations which are now taking place. We therefore express the opinion that it would not be desirable to introduce such suggestions during the current session of the General Assembly.

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[1] A/C.1/PV.1714, pp. 57–62.
[2] *Ante*, p. 637.
[3] *Ante*, p. 595.

It therefore appeared to us that the resolution presented by the twelve Powers could, in several respects, be improved so as to meet the criteria which I have just set out.

I should like now to explain the amendments we propose. We propose the deletion of the third and fourth preambular paragraphs of document A/C.1/L.490.

I wish to add that the third preambular paragraph reappears in the first operative paragraph we suggest, in, I think, a more explicit and strengthened form. Furthermore, our suggestion is that the operative paragraph which now reads:

> *"The General Assembly . . .*
> ***Appeals*** **to the Governments of the Union of Soviet Socialist Republics and the United States of America to agree, as an urgent preliminary measure on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems**

should be replaced by two paragraphs. The first would read:

> *"The General Assembly . . .*
> ***Expresses*** **its sincere hope that these talks will, in due course, lead to substantial agreements on the limitation and subsequent reduction of strategic armaments.**

As I just pointed out, this is a revised and strengthened version of the third preambular paragraph in document A/C.1/L.490.

The second would replace the operative paragraph in document A/C.1/L.490, and would read:

> ***Calls upon*** **the Union of Soviet Socialist Republics and the United States of America to refrain from any action which might be prejudicial to the achievement of this aim.**[4]

The aim is, of course, the limitation and subsequent reduction of strategic armaments.

To sum up, I think that, far from detracting from the proposal made by the twelve Powers, we have to a certain extent strengthened it as regards the original third preambular paragraph by substituting language in the operative paragraph, and on the other hand we have by no means excluded the possibility that the two major Powers may at some stage arrive at a decision to stop, either by unilateral agreement or in a manner that seems most appropriate to them, the testing and further deployment of new offensive weapons, that this is implicit in our draft and we have tried to broaden the scope of the recommendation made by the General Assembly to the effect that the two major Powers now negotiating at Helsinki ought to refrain from any action that might be prejudicial to the achievement of those aims.

In view of the late hour, Mr. Chairman, I think that I have made myself sufficiently clear and I do not want to take up the time of this Committee watching the hands of the clock to further elaborate on the amendment proposed in the name of Canada, Hungary, Poland, the United Kingdom of Great Britain and Northern Ireland and the Netherlands.

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[4] *Ante*, p. 637.

Seven-Nation Amendments to the Tripartite Draft Resolution, December 9, 1969 [5]

1. In the sixth preambular paragraph, add the word "weapon" after the word "nuclear".
2. Replace the eleventh preambular paragraph by the following:

Believing that the diversion of enormous resources and energy, human and material, from peaceful, economic and social pursuits to an unproductive and wasteful armaments race, particularly in the nuclear field, places a great burden on both the developing and developed countries.

3. In the twelfth preambular paragraph delete the word "tremendously".
4. In operative paragraph 1 replace the words "*Resolves* to dedicate" by the word "*Declares*".
5. Replace operative paragraphs 3 and 4 by the following:

3. *Calls* on the Conference of the Committee on Disarmament to intensify its efforts towards the early conclusion of an agreement on general and complete disarmament under effective international control with a view in particular to the speedy halting and reversal of the nuclear arms race and, to this end, to draw up a comprehensive programme listing appropriate priorities for consideration by the General Assembly at its twenty-fifth session;

6. Renumber the remaining operative paragraphs accordingly.

Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Moratorium on New Nuclear Weapons Systems, December 9, 1969 [1]

I am sorry that in the case to which resolution A/C.1/L.490 refers, a somewhat unusual procedure has been followed, that is to say that the co-sponsors of the amendment to that draft deemed it fit to submit their amendments before the draft resolution was officially presented to the Committee. I now have the honour to submit officially to this Committee the draft resolution contained in document A/C.1/L.490. The document was officially co-sponsored by the delegations of Argentina, Brazil, Burma, Ethiopia, India, Mexico, Morocco, Nigeria, Pakistan, Sweden, the United Arab Republic and Yugoslavia; twelve delegations, and the delegations of Cyprus, Ireland and Malta have since joined.

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[5] A/C.1/L.504, Dec. 9, 1969. The amendments were cosponsored by Brazil, Burma, Chile, Ethiopia, India, Pakistan, and Sweden. The sponsors of the tripartite draft resolution (*ante*, pp. 635–637) accepted amendments 2–4 on Dec. 9, and the seven nations agreed not to press for a vote on the first amendment and to withdraw the fifth amendment after certain changes were made in paras. 3 and 4 of the tripartite proposal. The amended resolution appears as pt. E of G.A. resolution 2602 (XXIV), *post*, pp. 713–715.

[1] A/C.1/PV.1715, pp. 11–21.

In making this presentation I shall limit myself to a few remarks and comments that may make it easier for all to understand its contents, its scope and the reasons for which we believe that its approval by the General Assembly would be of extreme importance, an importance difficult to exaggerate.

The resolution that is mentioned in the first preambular paragraph is the resolution in which the General Assembly urged the Governments of the United States and of the Soviet Union, last year, to undertake bilateral discussions on the limitation of offensive strategic nuclear-weapon delivery systems, etc. In paragraph 2 of this draft resolution of ours the General Assembly notes

". . . *with satisfaction*"—and I believe sincerely that this is a feeling generally shared—"that on 17 November 1969 the Governments of the Union of Soviet Socialist Republics and the United States of America have initiated bilateral negotiations on the limitations of offensive and defensive strategic nuclear-weapon systems".

This was quite in keeping with the urgings of the General Assembly.

The third paragraph is limited to expressing the hope—which I am sure all people all over the world also possess—

". . . that these negotiations will bring about early and positive results which would pave the way for further efforts in the field of nuclear disarmament".

and the fourth preambular paragraph expresses a conviction that we, again, believe to be unanimous, namely, that there is a need

". . . for creating the most favourable conditions for the achievement of that aim".

With regard to the sole operative paragraph contained in this draft resolution, its contents and purport are obvious from a mere reading of the text. According to the text, the General Assembly

"*Appeals* to the Governments of the Union of Soviet Socialist Republics and the United States of America to agree, as an urgent preliminary measure, on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems." [2]

The reasons which dictate the need for the Assembly's handing down an unequivocal and urgent appeal for this type of moratorium have constantly been stated and reiterated *in extenso*, surrounded by many irrefutable arguments and many statistics by statesmen, experts on international affairs and scientists in all fields, diplomatic as well as military.

To recall here even the main aspect alone of all that has been said and written about this matter would take up all the time that the Committee still has available to it before the official closure of the present session of the General Assembly. Obviously, I have no intention of listing all this but, I shall merely cite three recent declarations which I believe carry with them specific authority on the subject.

From 22 to 27 October last, the nineteenth Pugwash Conference on science and world affairs took place. Participating in that Conference

[2] The resolution appears *ante*, p. 595. For the amendments, see *ante*, p. 637.

were more than 100 scientists coming from twenty-nine countries, and including nationals of the United States and of the Soviet Union, who were the foremost participants. In the final conclusions of the Conference, there are two paragraphs, and because of their timeliness when discussing this draft resolution, I shall read these paragraphs in their entirety, although I shall have to do so in English, since, as yet, I do not have a translation into Spanish. These paragraphs read as follows:

(*spoke in English*)

"The prospect of another escalation in the strategic armaments levels of the United States and the Soviet Union is now a particularly acute problem because of the possibility of anti-ballistic missile and multiple independently targetable re-entry vehicle deployment, which will lead to a new and very dangerous stage in the steeply ascending spiral of the strategic arms race.

"Deployment of either of those weapon systems would almost certainly have the effect of introducing large uncertainties into the calculations made by both sides of the level of strategic armaments required to deter a nuclear attack. It would seem virtually certain that strategic force levels would be greatly expanded. This is due to the combination of the assumption by each side that the capabilities of the other would be at the highest possible level, with the assumption that its own capabilities are at the lowest level of the range of uncertainty. Such an approach has been used in the past as a pretext to justify very great arms increases. Experience shows that that approach, instead of making the world safer, has resulted in a diminution of the security of all nations.

"An expansion of armaments will not only increase the waste of resources and the danger of accidental or unauthorized launching of nuclear armed missiles, but will also increase the probability of nuclear war, since one or another of the major nuclear Powers might conclude that there are advantages to be gained by striking first rather than accepting the risk of a first blow by its adversary.

"With those considerations in mind, the Group concluded that early negotiation of an agreement to limit strategic armaments was a matter of highest priority, and that indeed the urgency was particularly great with respect to the deployment of ABMs and MIRVs and the testing of the latter. Action on this problem should be at the top of the agenda of the Soviet-United States strategic arms limitation talks (SALT). The Group heartily welcomed the announcement that those talks are to begin on 17 November in Helsinki."[3]

(*continued in Spanish*)

Working Group III of that same Pugwash Conference, in its report included a further paragraph which is an adequate complement to the previous paragraph, which reads:

(*spoke in English*)

"The deployment of ABM defences and testing and deployment of MIRVs needs to be stopped urgently. This could be accomplished in

[3] Continuing Committee of the Pugwash Conference on Science and World Affairs, *Pugwash Newsletter*, Oct. 1969, p. 29.

one of several ways: as the first order of business for SALT; by tacit agreement; by simultaneous declarations; or by an initiative to halt such activities on the assumption that reciprocal action by the other side will follow. Immediacy is indicated, because once a MIRV-ABM era begins it would be extremely difficult to limit strategic arms and because the difficulties of monitoring a MIRV ban would increase rapidly with additional tests. An early moratorium of limited duration on MIRV testing and ABM deployment could be of great value for this reason and also because it would provide time to negotiate comprehensive agreements in the SALT talks."

(*continued in Spanish*)

May I repeat that last sentence of that paragraph of the report of Working Group III of the Pugwash Conference. As I said, more than 100 of the most outstanding scientists of the world participated there, and primarily scientists of the United States and the Soviet Union. I quote again:

(*spoke in English*)

"An early moratorium of limited duration on MIRV testing and AMB deployment could be of great value for this reason and also because it would provide time to negotiate comprehensive agreements in the SALT talks." [4]

(*continued in Spanish*)

As the second example of a similar opinion I should like to recall what the Chairman of our Committee stated in this same Conference Room on 17 November, when we began discussion of the disarmament question; he said, *inter alia*:

"I am sure I speak on behalf of all Members of the United Nations when I express their deepest and most earnest hopes for the success of the strategic arms limitation talks, which are known as SALT. These bilateral talks could prove to be the most important international conference since the Second World War. Their outcome—and we dare think only in terms of success and not of failure—could be decisive for the future of all humanity. We know that these talks will be difficult and delicate. I would venture to hope that in the discussion which opened today in Helsinki and in the talks to follow in the days to come the two great Powers might be able to agree as a preliminary measure to suspend further work on the testing and development of new offensive and defensive strategic nuclear weapon systems as called for by the Secretary-General, whether by formal or tacit agreement, by reciprocated unilateral moratorium by each side, or by other parallel action." [5]

Finally—and I have purposely left this until the last because it is the view of no less a person than the Secretary-General of the United Nations, I should like to stress that in his introduction to the Annual Report of 15 September of this year, U Thant gave specific stress and emphasis to the following:

"The present situation of relative stability could disappear, even if

[4] *Ibid.*, p. 41.
[5] A/C.1/PV.1691, pp. 3–5.

only for a temporary period, if new generations of nuclear weapon systems were developed and deployed. This upsetting of the balance, or 'destabilization', would create unknown temptations and pressures and greatly increase the danger of possible miscalculation."

A little further on, U Thant states:

". . . In the meantime, pending progress in these talks, it would be helpful if they stopped all further work on the development of new offensive and defensive strategic systems, whether by agreement or by unilateral moratorium by each side. Little or nothing would be lost by postponing decisions to embark on the development and deployment of new nuclear weapon systems in order to explore thoroughly the possibilities of agreement: a very great deal might be lost by failure or refusal to do so. I am sure that the peoples of the world would breathe a sigh of relief if the Governments of these two States were to avoid taking any decisions which might prove to be irreversible and which might further escalate the nuclear arms race." [6]

Naturally the scope of the moratorium appealed for in the draft resolution, concerning both its duration and the strategic systems to be covered by it, is something that would be subject to the decision and agreement of the two negotiating Governments. But in the light of the considerations I have just quoted, which are as well-founded as they are alarming, the sponsors of draft resolution A/C.1/L.490 are convinced that the General Assembly would fail in performing a moral duty that is incumbent upon it more so than on anyone else were it to refrain from pronouncing itself on a matter of such gravity in the most clear-cut and unambiguous terms in which the sole operative paragraph of this draft resolution is phrased.

As many speakers before me have said, the talks at Helsinki may well be the turning point. It may well be—as you said, Mr. Chairman,—the most outstanding event to have taken place since the Second World War. But the appeal that we propose the General Assembly make to the two great nuclear Powers could quite probably become the most important and outstanding resolution to be adopted during the twenty-fourth regular session of that organ which best represents the United Nations. The responsibility for achieving this lies entirely with the members of this First Committee.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly, December 9, 1969 [1]

In our statement today we should like to set forth our views on the draft resolutions presented to this Committee. We do not intend to speak in detail on the substance of the matters treated in those draft resolutions since we have spoken in the general debate and have had occasion to put forth our views.

[6] General Assembly *Official Records: Twenty-Fourth Session, Supplement No. 1A* (A/7601/Add. 1), p. 4.

[1] A/C.1/PV.1715, pp. 22–31.

I should like to pass on to the specific draft resolutions now under consideration in the Committee. The first question that we should like to comment on is the one just brought up by the representative of Mexico, namely, the twelve-Power draft resolution (A/C.1/L.490) relating to a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems.[2] The Soviet delegation cannot support this draft resolution. At the present time bilateral Soviet-United States exchanges of views on the question of strategic weapons, being held at Helsinki, are at a stage where any interference, including that of the General Assembly, could not possibly contribute to their success, but might rather hamper the successful development of those talks.

My delegation would like to stress that the Soviet Union takes the most serious view of the talks being held at Helsinki. The Soviet Union is prepared to bend every effort towards reaching a satisfactory solution of this problem. At the same time, the proposal made in the twelve-Power draft resolution provides for certain practical measures which could be carried out only as a consequence of decisions taken at those talks. We consider that the adoption of any resolution which would provide for decisions on questions which we are not debating at present would be inappropriate. Therefore we stress that the adoption of draft resolution A/C.1/L.490 could have negative effects on developments at Helsinki. We cannot support this draft resolution. At the same time we should like to state that the Soviet delegation views favourably the amendments (A/C.1/L.501) to that draft resolution, presented by Canada, Hungary, Netherlands, Poland and the United Kingdom. These amendments contain an appeal, calling upon

> . . . the Union of Soviet Socialist Republics and the United States of America to refrain from any action which might be prejudicial to the achievement of this aim.[3]

Such an appeal is something that we deem appropriate and we are prepared to support this amendment as it would favourably contribute to the conclusion of the talks at Helsinki.

These are our remarks on draft resolution A/C.1/L.490 and the amendments to it contained in A/C.1/L.501.

May I now make a few remarks on the draft resolutions tabled by the representative of Malta. First, I should like to state our views concerning the United Nations publication mentioned in resolution A/C.1/L.492.[4] The first edition of this publication was decided upon by the Secretary-General.

We do not intend to speak about the appropriateness of publishing this pamphlet, but we do not think this is something that is up to the First Committee of the General Assembly, which examines serious political questions. The draft resolution submitted by Malta only diverts our attention from consideration of important political matters. We think this comes within the administrative purview of the Secretary-General's activities. We categorically reject any attempt to impose such a decision on the First Committee.

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[2] *Ante*, p. 595.
[3] *Ante*, p. 637.
[4] *Ante*, pp. 616-617.

We should also like to draw attention to the fact that the introduction of this draft resolution seems to cast doubt on the right of the Secretary-General to decide on administrative matters. We do not want to put the Secretary-General in the position in which he would be placed by this Maltese draft resolution.

I draw attention to the fact that we cannot consider this question; we cannot talk about circulation costs of this publication, and so on. What has this to do with the First Committee? We think there is nothing to debate, and noting that attempts are being made to draw us into a discussion of this matter, we adopt a negative attitude towards this draft resolution. If it is put to the vote, we shall certainly not support it.

There is a second Maltese draft resolution (A/C.1/L.493) on radiological warfare.[5] My delegation wishes to state that the question raised in this draft resolution is new; it has not been considered previously by the General Assembly or by our Committee. It requires the careful scrutiny of States before it is debated in the General Assembly. It has to do with questions of science and technology, and should first be considered by the competent organs of the various States.

Furthermore, this draft resolution was submitted practically in the last days of the consideration of disarmament items. The problems raised by it, I repeat, have not been considered or commented upon during our debate. It also contains specific recommendations for the procedure to be followed in discussion of this question.

The Soviet delegation, at this juncture, does not deem it possible to take any positive decision on this problem, and considers that it would be sufficient to transmit to the Conference of the Committee on Disarmament all records pertaining to it without making any recommendation.

With your permission, I pass on to the next draft resolution (A/C.1/L.494), concerning laser technology, submitted by Malta.[6] We wish to stress that the question of radiological weapons raised by the delegation of Malta concerns complex scientific and technical problems. It must first be studied by States to enable them to make competent statements in the General Assembly. This draft resolution has to do with the future development of laser-type weapons. The subject is not so urgent that we should, without any discussion, adopt a positive decision on it. This being so, we deem it appropriate that all these documents be sent to the Disarmament Commission and that that Commission—which considers all problems relating to general and complete disarmament and partial measures—if it deems it possible, desirable or appropriate, should devote some time to this problem. There is no need for the General Assembly to consider, so late in the day, an important and complex technical question and take a decision on it. That is why the Soviet delegation will not support the draft resolution (A/C.1/L.494) submitted by the representative of Malta.

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[5] A revised version of this proposal became pt. C of G.A. resolution 2602 (XXIV), *post*, p. 712.

[6] A revised version of this proposal became pt. D of G.A. resolution 2602 (XXIV), *post*, pp. 712–713.

We should like to explain our vote on draft resolution A/C.1/L.499 on the disarmament decade, submitted by the representatives of Ireland, Italy and Japan.[7] We consider that the questions relating to general and complete disarmament raised in this draft resolution, as well as the partial disarmament measures dealt with therein, give rise to no objections on our part. We consider that questions of general and complete disarmament, as well as partial measures, must be considered most seriously in the Conference of the Committee on Disarmament, and in the General Assembly. The question of general and complete disarmament and partial measures are on the agenda of the CCD; they are being considered by that Committee, and will continue to be given its consideration. Therefore, that part of the draft resolution does not give rise to any doubts or objections on our part.

However, we do object to attempts to tie this in with a disarmament decade—in other words, a specific time-table or deadline for discussing these matters. We consider that linking the question of general and complete disarmament or partial measures to a specific time-limit —the disarmament decade—or attempts to plan consideration of disarmament matters are not sufficiently justified, and we have no grounds for proclaiming a disarmament decade. What is a disarmament decade? Is it a decade for disarmament negotiations and talks, or is it a decade for taking disarmament measures? If it is for negotiations and talks, there is absolutely no reason to set a deadline of ten years. This problem is so important politically that it is constantly on the agenda of all States which want to set up a system of international security.

If this is a decade for taking measures in the field of disarmament, it cannot be done, for first there must be agreement on disarmament measures. How much time that will take, which one of us can predict? Therefore, I think there is no reason to impose a time-limit for disarmament measures. These are extremely important and complex problems. They directly encroach upon the security of States, and by proclaiming a disarmament decade we would foster the illusion that the development of such an important problem could be programmed. I do not think this is possible. One cannot plan the developments in this field; neither can we plan the development of international events in the world. None of us can say how events will transpire in this or the next decade, or within any given span of time. None of us is a prophet.

Furthermore, the most fundamental and urgent disarmament matters discussed at this session of the General Assembly are not stressed in this draft resolution. We attach very great importance to the questions of chemical and bacteriological weapons; we have asked for complete prohibition of chemical and bacteriological weapons—prohibition of their development, production, stockpiling, etc.—and that is not sufficiently stressed in the draft resolution sponsored by three States.

In other words, we hold the view that this draft resolution does not in fact serve our objective in the field of disarmament. It could even

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[7] *Ante*, pp. 635–637.

serve to delay a solution to some of the disarmament problems, because it might be said that, after all, the Disarmament Decade is not yet over; if we do not discuss this during the first half of the Decade, why not do it later? I do not think that that is desirable in view of our common objective and approach to this extremely important matter—the problem of disarmament—which has to do with the very existence of States and international security. And to cramp all this into a certain period of time is something that seems quite inappropriate.

For those reasons the Soviet delegation will not support that draft resolution; if it is put to a vote, we shall abstain.

Statement by the British Representative (Chalfont) to the First Committee of the General Assembly, December 9, 1969 [1]

I should like to make a few very brief remarks on the draft resolutions submitted under agenda item 29, and start, if I may, with some comments on the twelve-Power draft resolution "on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems" contained in document A/C.1/L.490.[2] I listened with very great interest to the remarks of the representative of Mexico when he submitted that draft resolution earlier, and, as always, I found him persuasive, clear and lucid. There was one implication in what he said, with which I find myself in disagreement. It was the suggestion that those who do not support this resolution have in some way failed to appreciate the importance of the talks now going on in Helsinki (SALT), and I should like to assure him that, although—as I shall make clear later—my delegation cannot support this resolution, we do agree with him that those talks at Helsinki are possibly the most important international negotiations that have taken place since the Second World War. It is indeed for this very reason that my Government believes that we should refrain here from formulating any didactic or restrictive instructions to the parties involved in these talks. So far, there is every evidence that the two Powers now taking part in these most important discussions are doing so with sincerity and an obvious determination to succeed, not only in their own interests but in the general interest of arms control and international stability.

If the time should come when the General Assembly is unsure of that, then perhaps there might be a reason for taking some action. But I would suggest that, for the moment, we have every evidence that the two participants in these talks are determined that they shall succeed. As the representative of Mexico and others have pointed out earlier in the debate, it is very important that these talks should succeed, and I would presume that the aim of the General Assembly in any action it might take would be to help towards that success.

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[1] A/C.1/PV.1715, pp. 31–36.
[2] *Ante*, p. 595.

The representative of one of the participants in the talks has already said here that action by the General Assembly on the lines of the draft resolution contained in document A/C.1/L.490 would not be welcome, and I think we must indeed take very seriously what he has said. If action by the General Assembly is not welcome by the participants in these talks, and if they feel that such action would not help the talks towards success, then I believe that we in the First Committee and the General Assembly as a whole must take that point of view very seriously indeed.

However sincere one may be in expressing the hope concerning a "moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems" that is only one of a dozen or more suggestions one could make to the participants at Helsinki about the way in which these talks might be carried on. Many of us have ideas about the sort of things that would help or hinder the progress of these talks. A "moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems" is only one of them. There are many other suggestions that we could make.

Having that very much in mind, my delegation has therefore co-sponsored the amendment to that draft resolution.[3] The amendment is wider in scope than the original draft resolution, which confines itself to a suggestion about a specific technical and political aspect of the talks. The amendment goes wider and invites the two participants to do nothing at all that would make success in the talks harder to achieve, and we think that is a much more useful thing for the General Assembly to do than to confine itself to this one aspect of the talks and to seek to instruct the participants in the way in which they should approach that particular problem.

We have therefore co-sponsored the amendment to the draft resolution in document A/C.1/L.490, and I should perhaps indicate formally—although it must be clear from what I have just said—that, unless this amendment is adopted, we cannot support the draft resolution in document A/C.1/L.490.

On the subject of the draft resolution contained in document A/C.1/L.492, which is the draft resolution submitted by Malta on "*The United Nations and Disarmament 1945–1965*",[4] in the light of what you have said, Mr. Chairman, at the beginning of our deliberations this morning, I do not propose to comment at this stage on that resolution, although it may become necessary to do so if there are further developments during the course of our deliberations later today.

I should now like to move on to the next two draft resolutions submitted by Malta, contained in documents A/C.1/L.493 and A/C.1/L.494, on radiological warfare and "the possible military applications of laser technology".[5] My delegation understands very well the concern of the representative of Malta about the possibilities of

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[3] See *ante*, p. 637.
[4] *Ante*, pp. 616–617.
[5] In revised form, these became pts. C and D of G.A. resolution 2602 (XXIV), *post*, pp. 712–713.

radiological warfare as distinct from the more familiar forms of nuclear weapons warfare, and also about the possible military applications of the new and expanding technology of lasers. Those are very exciting developments in one sense, but very forbidding in another, and, clearly, we must all keep a very careful eye, especially those of us who work in the arms control and disarmament fields, on the way in which these matters develop.

I have the greatest respect for this complex of proposals by the delegation of Malta—indeed, I have the greatest respect for any proposal put forward by Ambassador Pardo. As I have said before, much of our work in this Committee is a direct result of his initiatives, and I am now thinking particularly of the question of arms control on the sea-bed. But I do not believe that the question of radiological weapons and the possible military applications of laser technology are going to pose any significant military threat in the very near future.

It may be that in the more distant future this will happen, but I think that in the Conference of the Committee on Disarmament, in Geneva, we already have a very large number of important and urgent issues to which we ought to address ourselves and deal with before we come to expend time, money and resources on those interesting and slightly esoteric concepts of future weapon systems.

I am, therefore, sorry to have to tell the representative of Malta that we cannot conscientiously support either of the draft resolutions contained in documents A/C.1/L.493 and A/C.1/L.494—even as amended. I should like to say that I am very grateful to Ambassador Pardo, as I am sure many of us are, for the way in which he has tried to take account of the comments made on his draft resolutions and to meet the preoccupations and concerns of those of us who have expressed them to him. But I really do think that the best we can do at the moment in the Conference of the Committee on Disarmament is to keep an eye on developments in this field. If they ever seem to be taking the form of a real threat, then we ought to be ready to take action. Indeed, I think it would be very useful if individual members of the CCD, now that they have been alerted to this problem by the Maltese delegation, were to initiate studies of these problems in their own capitals. I certainly propose to do so in London.

In that light, if we can assure ourselves that the CCD will keep an eye on these problems, and if we can be assured that the members of the CCD will take care to keep themselves up to date on developments in this field, I should like to propose to Ambassador Pardo that his aim, which I quite understand and with which I fully sympathize, might best be achieved if he were to agree not to press these two draft resolutions to a vote—on the understanding that they would, of course, be transmitted, with the records and documents of this Committee, to the Conference of the Committee on Disarmament, which could then take account of them among all its other preoccupations.

So far as the other two draft resolutions under agenda item 29 are concerned, at present I have nothing to say, although I may wish to intervene briefly again if there are any developments in the course of our deliberations.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Moratorium on New Nuclear Weapons Systems, December 9, 1969 [1]

I should like to address a few remarks to the subject covered by the draft resolution contained in document A/C.1/L.490,[2] introduced by a number of delegations and spoken about by the representative of Mexico,[3] and the draft amendment to it contained in document A/C.1/L.501,[4] on which the representative of the Netherlands spoke yesterday evening [5] and which was also commented on just now by several other speakers.

I should first like to acknowledge the very warm comments we have heard from so many delegations since the opening, in Helsinki, of the bilateral arms limitation talks on 17 November. In your opening remarks a few weeks ago, Mr. Chairman, you noted that these bilateral talks could be the most important conference since the Second World War. I sincerely hope that that prognosis proves to be correct.

We are all gratified that the hope reflected in General Assembly resolution 2456 D (XXIII),[6] which called for these bilateral negotiations to begin at an early date, has now been realized. I believe that there is also general agreement on what the goals of these negotiations should be. In his message to Ambassador Smith, our chief negotiator at these talks, President Nixon said:

> Today you will begin what all your fellow citizens in the United States, and, I believe, all people throughout the world, profoundly hope will be a sustained effort not only to limit the build-up of strategic forces but to reverse it.[7]

The draft resolution contained in document A/C.1/L.490 appeals to the United States and the Soviet Union to agree, as an urgent preliminary measure, on a moratorium on the testing and deployment of new strategic nuclear weapons systems.

I think that it is evident from President Nixon's words that the United States is looking well beyond what is requested of the United States and the Union of Soviet Socialist Republics in resolution A/C.1/L.490. Indeed, we have set our sights on an eventual reduction of strategic arsenals. At the same time we must recognize that these negotiations will be extraordinarily complex; we must not look for hasty interim measures that might fail the test of time.

If I correctly understood the explanation of resolution A/C.1/L.490 which was offered by the representative of Mexico, he considers that

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[1] A/C.1/PV.1715, pp. 38–42.
[2] *Ante*, p. 595.
[3] *Ante*, pp. 644–648.
[4] *Ante*, p. 637.
[5] *Ante*, pp. 642–643.
[6] *Documents on Disarmament, 1968*, pp. 800–801.
[7] *Ante*, pp. 535–536.

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the language of resolution A/C.1/L.490 would appeal *inter alia* for a moratorium on test explosions of nuclear weapons. We have already had some experience with such a moratorium and from the point of view of the United States it was not a happy experience: it was an interim measure which failed under the test of time.

Moreover, the question of nuclear weapon tests has already been discussed in this Committee and a resolution, I believe resolution A/C.1/L.486 on which the United States made specific comments, has been appproved by this Committee.[8] It seems to our delegation that this overlapping of two resolutions could well cause confusion and complications. To return to the Helsinki talks, very long and careful preparations for these talks have been undertaken on both sides and the process of establishing common ground has now begun. Once that basis has been laid we are confident the negotiators will attempt to work out between them what is the best of a variety of possible ways which might be suggested for moving toward the goal which we all want to reach. We do not believe it would be helpful to the negotiators for this Assembly to attempt to determine, as resolution A/C.1/L.490 does, just which path the negotiations should follow.

The motives of the sponsors of resolution A/C.1/L.490 are, of course, completely above reproach. They are motives which are fully shared by my Government, they are the same motives which have led the United States to press so hard for these negotiations and to prepare so carefully and thoroughly for the substantive discussions of these very complex and important problems. But the form in which these praiseworthy motives have found expression in resolution A/C.1/L.490 is not, I fear, at all helpful.

For these reasons we cannot support the original text of resolution A/C.1/L.490 and we intend to vote for the amendment to resolution A/C.1/L.490 offered by the delegations of Canada, Hungary, the Netherlands, Poland and the United Kingdom. We believe this constructive rephrasing of the resolution is similar in intent to the resolutions that guided the negotiators during the long task of formulating the non-proliferation Treaty.[9] The language of this amendment is language which could not in any way contribute to complicating the already complicated problems faced by the negotiators in Helsinki. In its operative paragraph 1, rather than in a preambular paragraph, it clearly and accurately states the objective of the important negotiations which have begun in Helsinki. In its second operative paragraph it calls upon the two Governments engaged in these negotiations in the same sort of language used during the negotiation of the non-proliferation Treaty to refrain from actions which would possibly be prejudicial to the attainment of the objectives set forth in paragraph 1.

If this amendment is adopted the United States will then be able to give its warm support to the amended resolution.

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[8] Substantially the same as pt. B of G.A. resolution 2604 (XXIV), *post*, p. 722.
[9] *Documents on Disarmament, 1968*, pp. 461–465.

Statement by the Cypriot Representative (Rossides) to the First Committee of the General Assembly, December 9, 1969 [1]

I wish to introduce the amendment by Ghana and Cyprus A/C.1/L.503 [2] to draft resolution A/C.1/L.499.[3] On this occasion I wish to congratulate the sponsors of resolution A/C.1/L.499 for their endeavour to introduce a resolution in respect of The Disarmament Decade proposed by the Secretary-General in the Introduction to his report of the work of the Organization for this last year. We appreciate their efforts and we certainly commend what they are doing. However, we bear in mind that the Secretary-General in his report clearly stated in paragraph 41: "The world now stands at a most critical crossroads".[4] That is to say, we are now at particularly critical crossroads and that is why he is calling for a United Nations Disarmament Decade.

Previously in a statement he made on 9 May, he said:

> I do not wish to seem overdramatic, but I can only conclude from the information that is available to me as Secretary-General that the Members of the United Nations have perhaps ten years left in which to subordinate their ancient quarrels and launch a global partnership to curb the arms race, to improve the human environment, to defuse the population explosion, and to supply the required momentum to world development efforts.[5]

We are, from all aspects, in a critical position particularly with regards to the arms race. The development of new nuclear weapons is a matter of the gravest concern, and therefore we welcome the Helsinki talks in the hope that they will stop the development of new nuclear weapons because if their development is not stopped the danger is that there can no longer be any agreement. That is the sense of what the Secretary-General has said.

That is why the delegations of Ghana and Cyprus felt that the tenth preambular paragraph which runs:

> *Noting that* in spite of the fact that some limited progress has been accomplished during the past two sessions of the Conference of the Committee on Disarmament both in specific fields and in the general approach to the disarmament question, an imbalance still exists between the magnitude of the tasks in front of the Conference and the achievements so far reached, having in mind in particular the danger of a new spiral in the nuclear arms race.[6]

It would be more pertinently in the spirit of what the Secretary-General has said, if we made it more concise and brought it to the point.

Therefore, we suggested that the following words should be substituted for the tenth preambular paragraph: "Bearing in mind the grave dangers involved in the development of new nuclear weapons, through a spiralling nuclear arms race." [7] Now, the word "new" by

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[1] A/C.1/PV.1715, pp. 42–46.
[2] *Ante*, p. 637.
[3] *Ante*, pp. 635–637.
[4] General Assembly *Official Records: Twenty-fourth Session, Supplement No. 1A*, p. 6.
[5] *UN Monthly Chronicle*, July 1969, p. ii.
[6] *Ante*, pp. 635–636.
[7] *Ante*, p. 637.

some clerical error was not printed, but I believe in the new text they are bringing out the word "new" is there because that is the important aspect of it.

We believe that this paragraph is necessary to bring out the spirit in which this Decade is going to be conducted.

Secondly, with regard to operative paragraph 4 which speaks about the fact that at the same time the Conference of the Committee on Disarmament would work towards a comprehensive programme, we find that the words "work towards" are too indefinite because the United Nations, as we know, has been working towards disarmament for the last twenty years or more, so this does not mean anything; we have been, also, working towards world peace and world order but we have not accomplished it.

The essence of this idea of the programme is that it must be taken up immediately and worked out. The Secretary-General in his report, as a matter of fact in his Introduction, states that:

> I would hope that the members of the General Assembly could establish a specific programme and time-table for dealing with all aspects of the problem of arms control and disarmament. Useful guidelines already exist in the provisional agenda, adopted on 15 August 1968 by the Eighteen-Nation Committee on Disarmament, and in resolution C adopted by the Conference of Non-Nuclear-Weapon States in September 1968.[8]

Now this draft resolution passes that duty on to the Conference of the Committee on Disarmament. We agree with the idea that that Committee should deal with the programme but we would suggest that instead of saying "work towards a comprehensive programme," we should say "work out a comprehensive programme and report to the next General Assembly". We do not minimize the difficulties that exist in working out that programme, but the difficulties really are such that could be accommodated, particularly having in mind the new spirit of co-operation between the two super Powers and the general nuclear Powers that has been exhibited during the General Assembly, which we very heartily welcome. Therefore we expect that if the General Assembly gives the directive, the incentive for accommodation on the programme, it will be a great step towards making the Disarmament Decade a success. In this sense, the delegations of Ghana and Cyprus commend this amendment to the sponsors in the hope that they will accept them and revise their draft.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly, December 9, 1969 [1]

I should like to make a few comments on the draft resolutions to which I did not refer a few moments ago, in particular, draft resolu-

[8] The Secretary-General's statement appears in General Assembly *Official Records: Twenty-fourth Session, Supplement No. 1A* (A/7601/Add. 1), p. 6. For the ENDC agenda and the non-nuclear states resolution, see *Documents on Disarmament, 1968*, pp. 583–584 and 674–675, respectively.

[1] A/C.1/PV.1715, p. 57.

tion A/C.1/L.499 introduced by the delegations of Ireland, Italy and Japan,[2] and the draft resolutions introduced by the representative of Malta.[3]

With regard to draft resolution A/C.1/L.499, we feel that this is a clear and positive resolution. We think that it would be most useful if it were approved at this session of the General Assembly.

The Soviet representative has indicated different sentiments on this score, and he has very lucidly expressed his reservations with regard to the value of elaborating a precise time-table or schedule for general and complete disarmament.[4] May I say that the United States delegation generally shares the reservations expressed by Ambassador Roshchin. We do not feel that time-tables of this sort are useful. In fact, we feel that the effort to reach them not merely tends to waste the time of what should be a negotiating body, but the effort can and often does introduce unnecessary divisions and disputes over matters which are premature and not ripe for serious negotiation.

For this reason, we would hope not to see an amendment adopted of the sort suggested by the delegations of Cyprus and Ghana, which would, on the face of it, have the Conference of the Committee on Disarmament "work out" before the next session of the General Assembly, rather than "work towards", a comprehensive disarmament programme.[5] Without such an amendment but in the language put forward originally by the delegations from my side, as explained most lucidly yesterday by Ambassador Vinci, we do not feel that the dangers and the problems which were so clearly set forth by the Soviet representative would in fact arise to impede our work in Geneva. We will therefore be able to give warm support to draft resolution A/C.1/L.499.

With regard to the draft resolutions put forward by the representative of Malta, I would only associate our delegation first of all with the tribute paid to Ambassador Pardo by Lord Chalfont, and also with the views and suggestions which Lord Chalfont put forward with regard to the appropriate disposition of the subsequent suggestions in those draft resolutions.[6]

Statement by the Italian Representative (Vinci) to the First Committee of the General Assembly, December 9, 1969 [1]

Yesterday I said that the co-sponsors of the draft resolution contained in document A/C.1/L.499, that is to say, the delegations of

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[2] *Ante*, pp. 635–637.

[3] The Maltese draft resolution on updating a U.N. publication appears *ante*, pp. 616–617. The Maltese proposals on radiological and laser weapons (A/C.1/493 and 494) were revised and became pts. C and D of G.A. resolution 2602 (XXIV), pp. 712–713.

[4] See *ante*, pp. 651–652.

[5] *Ante*, p. 637.

[6] For Lord Chalfont's statement, see *ante*, pp. 653–654.

[1] A/C.1/PV.1715, pp. 63–71.

Ireland, Italy and Japan,[2] would be glad to give clarification on that draft if necessary.

This morning, in a statement by the Soviet representative, we heard some reservations which were shared in part by the representatives of the United States and the United Kingdom.[3] I shall try to take up the various points that were put forward by Ambassador Roshchin. I am sorry I do not have the full text before me, because I could then give a better and, perhaps, more convincing clarification; but I shall try my best to explain what is contained in our draft resolution. I hope this might in some way dispel his reservations.

I understand that the Soviet delegation objects strongly to any time-table or time-limit in the elaboration of a comprehensive programme of disarmament. May I draw the attention of the Soviet delegation to the fact that there is no such time-table in our draft resolution. On the contrary, I tried yesterday to explain as clearly as possible that, in our proposals, we were leaving that aspect of the question rather flexible and open.

I could, perhaps, explain even better by recalling some of the points I mentioned yesterday in my statement: and I said, as a matter of fact that we did not want to go too far or present too much. I said we do know by experience that, while too ambitious schemes and designs do not give any real help around the negotiating table, negotiations carried on without some insight into the process which is being followed, or the final goals of the same negotiations, give rise to doubt and scepticism.

Furthermore, they risk remaining fruitless, creating imbalance and producing mere technical results, devoid of real political meaning. What we really have in mind is to trace some outlines of the work which will be undertaken by the Conference of the Committee on Disarmament at Geneva. I went on to say that is why it seems to us that the correct approach should be based, in fact—and, here, I think we concur with the Soviet delegation—on pursuing negotiations on collateral measures, the implementation of which could pave the way for the beginning of a real disarmament process.

In other words, we are trying to promote—even more than has been done before—these partial measures while having in mind, at the same time, what we have to pursue, namely, actual disarmament.

Therefore, I do not think that we have any quarrels on this point with the Soviet delegation and I might, perhaps, make it even clearer when I recall that we have also, in some measure, emphasized what has been done by the Conference of the Committee on Disarmament at Geneva. As a matter of fact, in my own statement, yesterday, I said that we believed that the Conference of the Committee on Disarmament, might capitalize on the agreement which has already been reached on this approach—and we meant what has been already achieved at Geneva and which is reflected in the report which was submitted to the Committee—guided by the new resolution; here, again, we do not say that we have to plan at once—and I do understand when Ambassador Roshchin says we cannot predict, but I have some confidence in the foresight of the Soviet delegation here and at

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[2] *Ante*, pp. 635–637.
[3] See *ante*, pp. 651–652, 658–659.

Geneva. Therefore, even if we cannot predict every single event or fact, or whatever might happen in international events, there might, at least be some clear view of what might happen in the future.

Therefore, we spoke about having the work of the Conference of the Committee on Disarmament guided by a new resolution, which will enable it to make progress during the next year along the lines we have suggested.

Furthermore, I stated that we probably hoped that in so doing we would come closer to an understanding on how the comprehensive programme should be worked out, so as to provide in realistic but effective terms a helpful incentive to further negotiations on disarmament.

I should like to repeat my conclusion of yesterday when I expressed the belief that the Conference of the Committee on Disarmament would encounter the most gratified response of the General Assembly and of the peoples of the world should it be able next year to report that meaningful progress has been achieved in this direction.

Therefore, on this point I should like to draw the attention of the Soviet delegation to the fact that there is nothing that can be construed as setting down a time-table for the comprehensive disarmament programme.

There is another point which was raised and that was that the Soviet delegation objects to any link between the Disarmament Decade and the Development Decade. Here again, I should like to point out that we have not spoken of a close link. As a matter of fact, yesterday also, in my statement I spoke about the connexion which exists between disarmament and economic and social development, in particular, in the developing countries. What do we mean by that? We mean, very simply, that if we can release very important material and human resources from armaments, we certainly would have available the means to bridge the gap between the north and the south, and between the developed and the developing countries.

One final point which was raised by Ambassador Roshchin was connected with chemical and bacteriological weapons. If I understood him correctly, he said that he would have liked to see something to advocate the elimination of these weapons. I should like to draw his attention to operative paragraph 2 of our draft resolution, in which we speak about the elimination of other weapons of mass destruction. I think that should be clear enough also to dispel some of the reservations which have been put forward by the representative of the Soviet delegation. I should really hope that having clarified these points, the Soviet delegation, as well as the delegations of the United States and the United Kingdom will feel in a position to support and vote in favour of our draft resolution. I should like to make a distinction here, I understood that the United States delegation is ready to support warmly and vote in favour of our draft resolution and I want to express my gratitude for that statement.

I turn now to the amendment officially introduced by the delegation of Cyprus and Ghana, and contained in document A/C.1/L.503.[4] May I, first of all, thank the representative of Cyprus, Ambassador Ros-

[4] *Ante*, p. 637.

sides, for the warm expressions of appreciation he has conveyed to the delegations of Ireland, Italy and Japan for having introduced our draft resolution.[5]

On these amendments, may I say that we think that our draft resolution, in its present form, should have met the expectations and wishes of most of the delegations and that it could have been approved as it stands; at the same time, since we wish to meet some of the desires of other delegations, namely, in this case, of Cyprus and Ghana, I should like to say that, so far as the amendment is concerned, the tenth preambular paragraph which reads

> *Bearing in mind* the grave dangers involved in the development of new nuclear weapons, through a spiralling nuclear arms race,

in my own view expresses the same concept as that contained in our preambular paragraph where it said ". . . having in mind in particular the danger of a new spiral in the new arms race". Nevertheless, we are ready, in spite of the fact that the concept was already there,—and I speak here for the three delegations which sponsored the draft resolution A/C.1/L.499—to go along with that amendment and to accept it.

As far as the second amendment is concerned—and I refer to point 2 of document A/C.1/L.503—it proposes to replace, in operative paragraph 4, third line, the word "towards" by the word "out". On this point the co-sponsors would like to say to the co-sponsors of that amendment that we accept the expression "working out" instead of "working towards", with the understanding that the report called for in the last line of operative paragraph 4 would be a progress report, in case it might appear unrealistic for the Conference of the Committee on Disarmament to present a comprehensive programme next year to the twenty-fifth session of the General Assembly.

I hope that those clarifications will satisfy most of the representatives who have raised points on our draft resolution, and that with the amendments which we are ready to accept, the draft resolution we are submitting to the Committee will be supported and adopted by a significant—if possible an overwhelming—majority.

Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Composition of the Conference of the Committee on Disarmament, December 9, 1969 [1]

I should like to say a very few words concerning draft resolution A/C.1/L.495/Rev.1, the draft resolution co-sponsored by the delegations of Canada, Ecuador, Iran, Nigeria and my own delegation.[2]

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[5] See *ante*, pp. 657–658.
[1] A/C.1/PV.1715, pp. 71–72.
[2] Identical with pt. B of G.A. resolution 2602 (XXIV), *post*, pp. 711–712.

Those who may be interested in writing the chronicles of disarmament negotiations in the United Nations will very easily find the birth certificate of the Eighteen-Nation Disarmament Committee lying in resolutions 1660 (XVI)[3] and 1722 (XVI) of the General Assembly.[4] As will be recalled, in the first of these—resolution 1660 (XVI)—the General Assembly urged the Governments of the United States and the Soviet Union "to reach agreement on the composition of a negotiating body which both they and the rest of the world can regard as satisfactory". The Assembly went on to express the hope that "such negotiations will be started without delay and will lead to an agreed recommendation to the General Assembly". The negotiations were successful and the delegations of the two States submitted a recommendation, as requested by the Assembly, to that body and couched it in the form of a resolution co-sponsored by them. That draft resolution, in due course, became resolution 1722 (XVI). In it the General Assembly endorsed the agreement reached by the United States and the Soviet Union on the composition of a Disarmament Committee, one which later was baptized the Eighteen-Nation Disarmament Committee.

As I said, those two resolutions contain the birth certificate of the Eighteen-Nation Disarmament Committee. In view of the agreement to which the representatives of the United States and the Soviet Union arrived in the course of this year, acting as they do as Co-Chairmen of the Committee on Disarmament in Geneva, an agreement to expand to twenty-six the membership of the negotiating body, it would appear necessary that now the General Assembly should adopt a new resolution that for future chroniclers might, as far as the Conference of the Committee on Disarmament is concerned, play the same role as that played by resolution 1722 (XVI) regarding the Eighteen-Nation Disarmament Committee.

That is the main objective of the draft resolution in document A/C.1/L.495/Rev.1. Apart from that purpose, the General Assembly can perfectly well offer a welcome to the eight new members of the Conference of the Committee on Disarmament and express its conviction that for effecting any change in the composition of the Twenty-Six Nation Conference of the Committee on Disarmament, the procedure which was unanimously agreed to at the sixteenth session of the General Assembly should be observed. That is a procedure which safeguards both the attributes of the two main nuclear Powers and the authority and functions and powers of the General Assembly of the United Nations concerning matters of disarmament.

My delegation hopes that this draft resolution—A/C.1/L.495/Rev.1—which is the result of very lengthy and very patient negotiations, will be unanimously approved by the Committee.

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[3] *Documents on Disarmament, 1961*, pp. 677-678.
[4] *Ibid.*, pp. 741–742.

Statement by the Indian Representative (Husain) to the First Committee of the General Assembly, December 9, 1969 [1]

The proposed amendments to draft resolution A/C.1/L.499 [2] contained in document A/C.1/L.504 [3] have been placed before all the members of the Committee.

To begin with, I should like to say that we are very grateful to the delegations of Ireland, Italy and Japan for their initiative in presenting the draft resolution contained in document A/C.1/L.499, on the Disarmament Decade. We agree with the basic concept of our giving serious attention to some kind of programme for achieving or moving towards the achievement of general and complete disarmament as well as the intermediate steps towards that goal.

The representative of Italy, in his statement introducing the draft resolution contained in document A/C.1/L.499 and also in the statement which he made this morning,[4] convincingly dealt with the *raison d'être* for approving that draft resolution. We agree with the reasons that he gave during the course of those two statements. We are also glad to note that the co-sponsors of this draft resolution have accepted the amendments proposed by the delegations of Cyprus and Ghana and contained in document A/C.1/L.503.[5] These are necessary changes, and it is gratifying that the co-sponsors of the other draft resolutions have welcomed them. We shall also vote for those amendments.

But keeping in view the basic objectives of the draft contained in document A/C.1/L.499, we feel that certain further amendments are necessary to achieve the objectives on which we are all agreed. Therefore, the delegations of Brazil, Burma, Chile, Ethiopia, India, Pakistan and Sweden, and—let me add—since then, Morocco, have co-sponsored some amendments.

I should now like to deal with the reasons for the changes we proposed should be made.

Three of the amendments are relatively minor verbal changes—that is to say, those mentioned in paragraphs 1, 3 and 4. The first one is an obviously necessary change, namely that the words "nuclear Powers" be changed to "nuclear-weapon Powers". We have, in all documents relating to nuclear disarmament and to disarmament, invariably referred to the nuclear Powers as "nuclear-weapon Powers". Secondly, in the twelfth preambular paragraph, we feel that the word "tremendously" is an unnecessarily strong qualification of the word "enhanced" and that we should delete it. Thirdly, in operative paragraph 1 we have suggested an alternative wording: "Declares", instead of "Resolves to dedicate". It may be added that the General Assembly already adopted a resolution earlier in this session "declaring" this as a Disarmament Decade.

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[1] A/C.1/PV.1716, pp. 4–10.
[2] *Ante*, pp. 635–637.
[3] *Ante*, p. 644.
[4] *Ante*, pp. 659–662.
[5] *Ante*, p. 637.

Apart from those three minor changes, I would now refer to the two relatively major changes which we propose to make. The first concerns the eleventh preambular paragraph. It is very difficult—and I am sure that when I explain the reasons, most delegations would agree that it is even impossible—to accept the view that military expenditures in respect of developing countries have been, as is stated in that paragraph, responsible as "an important factor in the failure to make greater progress in the advancement of the developing countries during the First United Nations Development Decade". The reasons for the lack of development and progress in the developing countries were the subject-matter of lengthy discussions in the First and Second United Nations Conference on Trade and Development, in 1964 and 1968. Those reasons are well known, and I do not think that in the First Committee we need go into that matter. But it is recognized that the developed countries share a great deal of responsibility for the lack of the development that was envisaged and expected in the earlier stages of the Development Decade. It is also well known that political conflicts in certain areas were responsible for such expenditures as were considered necessary. The attitude of certain great Powers contributed towards the worsening of the conflicts involving those expenditures. So it would not seem proper and just to apportion any kind of blame to military expenditures in this respect. Whatever the reasons—and they are not the subject-matter of the discussion in this Committee—they are not relevant to dealing with the problem of disarmament. Hence we have proposed an alternative paragraph which is simpler and less controversial, one which will, I hope, be generally acceptable to the members of the Committee.

I would now come to the crux of the matter, which is contained in operative paragraphs 3 and 4. Let me say at the beginning that we generally agree with the concept contained in paragraphs 3 and 4. Our suggestion is only that the paragraphs might be reworded to convey the meaning more clearly and concisely, as well as more precisely. In the first place, we take objection to the fact that reference has been made to paragraph 37 of the report of the Conference of the Committee on Disarmament.[6] As the members of the Committee are aware, this relates to the preliminary agenda adopted by the Conference of the Committee on Disarmament in August 1968.[7] That so-called preliminary agenda was a subject of discussion last year and has been under some discussion this year as well. It is not really an agenda: it is a conglomeration of various items relating to the whole field of disarmament. No priorities have been assigned among different headings or, under each heading, among different items. Even the items have not been spelled out. It should be regarded as a kind of directory of the whole field of disarmament. Without some order of priority it is not possible for us to make any substantial progress. It will be recalled that in our general debate many delegations mentioned that we have concentrated on non-armament measures rather than on nuclear-disarmament or disarmament measures. In view of that, we strongly feel that paragraphs 3 and 4 should convey more clearly the point that some order of priority is necessary. In the discussion that

[6] *Ante*, p. 522.
[7] *Documents on Disarmament, 1968*, pp. 583–584.

took place this morning, objection was taken to the word "programme". I do not think the sponsors of draft resolution A/C.1/L.499, or ourselves, are in any way suggesting any rigid programme. We do not want to be literal about the word "programme". It is not suggested that each item should be set out with time-limits; what we do stress and what we would like to insist upon is that some general guide-lines and broad priorities are necessary, and that without them adequate and substantial progress cannot be made. That fact has already been stressed by a large number of delegations.

It will be recalled that broadly-worded resolutions have been adopted since 1959. Some of those resolutions have been referred to in this draft resolution, and others also have been mentioned during our debate. We are also aware, and it has been commented upon by many of us and by the Secretary-General in the introduction to his report, that no substantial results have been produced. It is therefore necessary that the wishes of the General Assembly be expressed in a more specific manner than has thus far been done. Only then can we measure the rate of progress towards general and complete disarmament and evaluate the collateral measures that will help towards the achievement of that objective. It is for those reasons that we have suggested an alternative wording for operative paragraphs 3 and 4, and we hope that it will receive favourable consideration by the members of this Committee.

Statement by the Maltese Representative (Pardo) to the First Committee of the General Assembly, December 9, 1969 [1]

I listened very carefully to the statements which were made this morning and to the references which were made to the draft resolutions submitted by my delegation. I wish to thank Lord Chalfont for his very kind words with regard to my delegation,[2] but, frankly, I am a little surprised at the reticence shown by a few delegations with regard to the draft resolutions submitted by us.

The first of the draft resolutions refers to radiological warfare (A/C.1/L.493/Rev.1).[3] As I made clear in my statement, there are two branches of radiological warfare. One branch refers to the possibility of maximizing death and injury through radioactive fallout—for instance, by encasing bombs with cobalt. This is known to everybody here. My delegation is most anxious that the matter receive consideration in the context of disarmament negotiations, since this type of weapon is the only one at present available which can literally destroy mankind—kill off all mankind. All we recommend is

> . . . that the Conference of the Committee on Disarmament consider, in the context of nuclear arms control negotiations, the need for effective methods of control of nuclear weapons that maximize radioactive effects.

[1] A/C.1/PV.1716, pp. 11–15.
[2] See *ante*, pp. 652–654.
[3] Identical with pt. C of G.A. resolution 2602 (XXIV), *post*, p. 712.

I do not see what objection there can be to this very modest request, made without any rhetoric whatsoever.

The second branch of radiological warfare could consist in the utilization of radioactive agents, independently of nuclear explosions. In our statement, we made it very clear that this is not perhaps a vital area of armaments. But it is precisely because it is not a vital area, precisely because it does not touch upon a very sensitive military nerve, that the Conference of the Committee on Disarmament might make progress in the control of this type of warfare. All that my delegation asks is that the Conference of the Committee on Disarmament, without prejudice to existing priorities—that is to say, leaving existing priorities as they are—consider effective methods of control with regard to those methods of warfare. The prospects, if followed up, are, in the opinion of my delegation at least, reasonably good.

It was stated with regard to the other draft resolution (A/C.1/L.494/Rev.1) submitted by my delegation, which concerns lasers,[4] that it is premature. We certainly do not pretend that lasers are of vital military importance at this minute. However, they may have a very far-reaching military importance in a very few years time. We do not see what harm there can be in referring the question of lasers to the Conference of the Committee on Disarmament, without, again, any prejudice to existing priorities. Let members of the Conference of the Committee on Disarmament become acquainted with the technical background of this question, and then, in due course, perhaps the Conference of the Committee on Disarmament will seize the General Assembly again of the matter. I do not see what possible objection there can be to this.

The third draft resolution (A/C.1/L.492) of my delegation concerns the updating of the publication *The United Nations and Disarmament 1945–1965*. As the Committee is aware, we do not wish to contribute excessively to a proliferation of draft resolutions. We are willing to withdraw this draft resolution if you, Mr. Chairman, are in a position to make a consensus statement on the question.

I would point out, in this connexion, that in proposing the updating of that publication, we had particularly in mind the needs of smaller delegations, which need every possible background publication that is available. This is a handy publication which contains much useful information, and we thought that it would be useful to all of us, but particularly to the smaller delegations.

Statement by the British Representative (Chalfont) to the First Committee of the General Assembly: Revised Tripartite Draft Resolution, December 9, 1969 [1]

I am anxious not to prolong this stage of the debate unduly, but I should like to make one or two very brief comments on the latest turn

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[4] Identical with pt. D of G.A. resolution 2602 (XXIV), *post*, pp. 712–713.
[1] A/C.1/PV.1716, pp. 16–17.

of events in the matter of the draft resolution originally sponsored by Italy, Ireland and Japan.[2]

When this draft resolution was first submitted it was one that my delegation could happily have supported. Then an amendment was submitted [3]—which was accepted by the co-sponsors—which would have made it rather more difficult for us to support the draft resolution. But, having heard the explanation and the interpretation by the Italian representative of the change,[4] we felt that, after all, we could give our support to the draft resolution. And I had intended to vote in favour if the draft resolution had come to a vote.

However, I must say that the new set of amendments which were recently submitted by Brazil and other delegations [5] and on which the representative of India has spoken [6] puts us, I am afraid, back into a situation where, if the draft resolution were amended in this sense, we should find it impossible to support it. I shall leave out of the reckoning at the moment, for reasons of time, the suggested amendments to paragraphs of the preamble, although I must say that I am not entirely convinced by the argument for including the word "weapon" after "nuclear" in the sixth paragraph of the preamble. It seems to me that it is important that all nuclear Powers—not only nuclear-weapon Powers—should be involved in the process of nuclear arms control. But I leave that simply as a matter of comment and go on to what is the most important amendment, which is that contained in paragraph 5 of document A/C.1/L.504, asking us to replace operative paragraphs 3 and 4 by a new paragraph 3.[7]

Here I feel that we are getting into the dangerous area of supposing that the drawing up of programmes is an adequate substitute for arms control and disarmament. Of course it is not. What I believe we must address ourselves to in the Conference of the Committee on Disarmament is the business of going forward on constructive measures of arms control and, if possible, in due course, of disarmament as well.

It seems to me—and this, I know, is a preoccupation shared by other delegations—that if we waste too much time or, should I say, to be less tendentious in my use of words, take up too much time in the drawing up of programmes, we shall debar ourselves from the serious business of arms control and disarmament. In my view, this new amendment takes us too far in the direction of using up important time at Geneva in drawing up programmes when we should be considering new ways of controlling the arms race, and particularly controlling the nuclear weapons problems.

For that reason my delegation will vote against this latest amendment if it should come to the vote, and if it should be carried, we shall find ourselves then unable to support the draft resolution as amended.

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[2] *Ante*, pp. 635–637.
[3] *Ante*, p. 637.
[4] *Ante*, pp. 661–662.
[5] *Ante*, p. 644.
[6] *Ante*, pp. 664–666.
[7] *Ante*, p. 644.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Composition of the Conference of the Committee on Disarmament, December 9, 1969 [1]

I should like first to make a few comments with respect to the amendment to the draft resolution contained in document A/C.1/L.499 [2] which was presented to us a few moments ago by the representative of India on behalf of the delegation of Brazil and other delegations and which is contained in document A/C.1/L.504.[3] We had earlier expressed our reservations with regard to the amendment submitted by the delegations of Cyprus and Ghana.[4] However, like the representatives of the United Kingdom and the Netherlands, we were substantially reassured by the explanations which Ambassador Vinci, the representative of Italy, gave with respect to that amendment to the draft resolution in accepting it on behalf of the co-sponsors.[5]

Despite the eloquent explanations which have been offered by the representative of India, we must note that we would have real objections regarding an effort such as that called for in paragraph 5 of the amendments proposed in document A/C.1/L.504, which would call on us "to draw up a comprehensive programme listing appropriate priorities" and would call for that task to be carried through so that it could be considered by the General Assembly next year.

Our reservations would thus be much more serious than was the case with respect to the more modest suggestion put forward by the delegations of Cyprus and Ghana. We therefore will oppose the amendment put forward in document A/C.1/L.504, and I regret to say that we would not be able to support a draft resolution that was so amended, although we had looked forward to being able to give warm support to the draft resolution contained in document A/C.1/L.499.

While I am speaking I should like to make a few remarks on another subject, namely, the draft resolution that was presented to us just before lunch by the representative of Mexico on behalf of a group of sponsors. The United States delegation feels that that is a useful resolution to have on the record. The former Eighteen-Nation Disarmament Committee was enlarged this past summer by eight new members, and the draft resolution contained in document A/C.1/L.495 [5a] takes appropriate cognizance of that fact. It recalls the two resolutions adopted by the General Assembly just before and just after the establishment of the Eighteen-Nation Disarmament Committee, particularly the second of those resolutions, resolution 1722 (XVI) of 20 December 1961, which endorsed the agreement which had just pre-

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[1] A/C.1/PV.1716, pp. 22–28.
[2] *Ante*, pp. 635–637.
[3] The amendment appears *ante*, p. 644. For the Indian statement, see *ante*, pp. 664–666.
[4] See *ante*, p. 637.
[5] *Ante*, pp. 661–662.
[5a] Substantially the same as pt. B of G.A. resolution 2602 (XXIV), *post*, pp 711–712.

viously been reached by the United States and the Soviet Union to set up the Eighteen-Nation Disarmament Committee.[6]

That draft resolution then goes on to remind us that in the First Committee last year there was widespread sentiment in favour of enlarging the Eighteen-Nation Disarmament Committee. The draft resolution notes that this past summer agreement was reached on the composition of the group of new members, which then joined in the work of the Disarmament Conference in Geneva, as well as on an appropriate change in the Committee's name.

The most significant portion of that draft resolution is, of course, the first operative paragraph. It would have the General Assembly endorse the agreements reached last summer with respect to both the new composition of the Committee and its new title. We are pleased to note that none of the speakers here has raised objections to any of the new members, and we are most gratified in our expectation that the Assembly will give its endorsement to the composition of the Conference of the Committee on Disarmament. This new composition was very carefully negotiated over a prolonged period, with all possible consideration given to making it truly reflect the changes in the international community in the period subsequent to the establishment of the Eighteen-Nation Committee on Disarmament.

I would not try to assert that the present composition of the Conference of the Committee on Disarmament is completely satisfactory to every Government represented in this Committee. I doubt in fact that any such perfect solution exists for a problem of this character. But the United States delegation has been most encouraged by the comments on this score made during the current session. I would note in particular that the very limited nature of this enlargement has enabled the Conference of the Committee on Disarmament, even during the brief period since the new members joined in its work, to demonstrate that it has not lost its character as a negotiating body.

This positive characteristic of the Geneva Committee was in fact demonstrated quite dramatically during the month of October. As you know, Mr. Chairman, it was only in early October that the two delegations of the Soviet Union and the United States, which had been sponsoring widely divergent proposals with regard to a sea-bed treaty, were able to agree on a common draft.[7] Nevertheless, at that late date, the other members of the Geneva Committee because of the broad understanding which they had already acquired regarding the elements of that problem, were able very quickly to make comments and suggestions which led to a number of important changes. Thus a second joint draft was submitted just before the Conference of the Committee on Disarmament adjourned so that its members could come to play an important role in the disarmament debate in this Committee.[8] And in fact the process of negotiation which was begun in Geneva gained such momentum that it has been carried forward here concurrently with the debates in this Committee, and in fact it has engaged here a widened circle of participants.

The restricted number of Governments participating in the work of

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[6] *Documents on Disarmament, 1961*, pp. 741–742.
[7] *Ante*, pp. 475–478.
[8] *Ante*, pp. 507–509.

the Conference of the Committee on Disarmament has, of course, a negative as well as a positive side. If the Conference of the Committee on Disarmament is kept small, as it must be, there naturally will be a substantial number of Governments willing and able to contribute to the task of disarmament that will not be able to do this directly in that Committee. Many Governments that might have welcomed the opportunity to join the Conference of the Committee on Disarmament and that might have had much to contribute to it have, however, participated fully in the work of disarmament in the stage represented by this Committee, and I am sure that the delegations negotiating in Geneva will welcome and will benefit from the many useful ideas expressed in the interventions here, which are of course regularly available in Geneva.

The conviction of the United States delegation that the new composition of the Conference of the Committee on Disarmament is widely satisfactory to this Committee is reflected in the draft resolution before us, not only in the important paragraph endorsing the new composition, but also in the paragraph welcoming the new members. I need hardly repeat what Ambassador Yost said here earlier in warmly welcoming all of them on behalf of the United States,[9] and I would only note again what a significant impact they have made in the brief but active period since they began participating in the Committee's work. I would, if I may, add a personal note, Mr. Chairman, first in praise of the contribution which you yourself have been making to solving several most pressing problems, both as head of the new delegation in Geneva and as Chairman of this Committee, and secondly in praise of the contributions made by Ambassador Kolo, who has been head of an old, established delegation in Geneva and has been Vice-Chairman of this Committee. The United States delegation is most grateful for the energy and the spirit displayed by both of the distinguished diplomats who have been guiding our proceedings.

Finally, draft resolution A/C.1/L.495 expresses the conviction of the General Assembly that the procedure followed in 1961, when the Eighteen-Nation Disarmament Committee was established, was and will be the appropriate procedure whenever a change in the membership of the Geneva Committee is necessary. The United States shares that conviction and has consistently been guided by the precedent of 1961. We have of course noted the comments of several delegations, in Geneva and here, expressing reservations with regard to the procedure followed in the enlargement effected last summer. We have also noted with appreciation that those reservations did not extend to the substance of the results of the negotiations; on the contrary, the new members have been universally welcomed. We regretted naturally that these divergencies, which related largely to timing, ever arose within the Eighteen-Nation Disarmament Committee, but we feel that the draft before us is an eminently satisfactory solution to these problems. The United States position with regard to the unique and delicate relationship between the Committee in Geneva and the General Assembly was well stated by our representative, Ambassador

[9] *Ante*, pp. 537–546.

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Stevenson, in 1961.[10] It is not a simple question, and since our views have not altered in spite of the passage of time since 1961, I do not believe it necessary to try the patience of this Committee with a superfluous recapitulation at this point.

The final point in the draft resolution before us is the request to the Secretary-General to continue to make available to the Conference of the Committee on Disarmament the assistance which his staff has been providing. This is a routine request made every year, but the response to it has not been routine. The officers and other personnel of the Secretariat, in particular the distinguished, capable and dedicated Personal Representative of the Secretary-General, Mr. Protitch, have lent absolutely invaluable assistance to the work of the Conference of the Committee on Disarmament, as they have been doing ever since the Eighteen-Nation Disarmament Committee began its work, and our delegation in Geneva is most grateful to them for their efforts.

The draft resolution before us is, then, from the point of view of the United States delegation a wholly positive draft resolution. We will vote for it and we hope that it will, like its predecessor resolution 1722 (XVI) of 1961, obtain not merely overwhelming but unanimous support from this Committee.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Composition of the Conference of the Committee on Disarmament, December 9, 1969 [1]

Our delegation would also like to express its views on the draft resolution presented by the delegations of Iran, Canada, Mexico, Nigeria and Ecuador on the question of expanding the Disarmament Committee, document A/C.1/L.495.[2]

In its approach to this question and in considering the draft resolution which has been submitted for the consideration of our Committee, the Soviet delegation proceeds from the view that we should take into account the following fact, to which attention has already been drawn by previous speakers, particularly the representative of the United States.[3] On 20 December 1961 the General Assembly, in resolution 1722 (XVI), noted with satisfaction the report submitted by the delegations of the Soviet Union and the United States on the renewing of talks on disarmament between the United States and the Soviet Union in the appropriate organ.[4] At that time the issue was—as it remains—the creation and existence of an independent organ considering questions of disarmament, but not auxiliary bodies of the General Assembly.

In so far as concerns the composition of the Committee on Dis-

[10] *Documents on Disarmament, 1961*, pp. 722–725.

[1] A/C.1/PV.1716, pp. 29–32.

[2] Substantially the same as pt. B of G.A. resolution 2602 (XXIV), *post*, pp. 711–712.

[3] *Supra.*

[4] *Documents on Disarmament, 1961*, pp. 741–742.

armament, the Soviet Union insisted even at the time of the formation of that Committee—and at the present time continues to adhere to the view—that in addition to an equal representation of the two military groupings which had formed themselves in the world, representatives of the non-aligned States also should take part. This approach, which received the approval of the General Assembly, among others was also adopted as the basis for the recent expansion of the Committee on Disarmament from eighteen to twenty-six participants.

We note with considerable satisfaction that the representatives of States who have spoken in the First Committee have welcomed the advent to the Committee of new participants, namely, Japan, Mongolia, Argentina, Hungary, Morocco, the Netherlands, Pakistan and Yugoslavia. We note with satisfaction in the draft resolution presented here by the representatives of Mexico and a number of other participants—Iran, Canada, Ecuador and Nigeria—that the General Assembly proposes to approve this agreement, both as to the new title of the Committee and with regard to its new composition: and also it says that the General Assembly welcomes the eight new members of the Conference of the Committee on Disarmament. Accordingly, this expansion, the agreement on which was achieved by the two co-Chairmen of the Conference, was timely and found support among the Member States of the General Assembly.

The results attained during the work of the Committee, particularly at its last session which was held in the summer and autumn of this year, show that the Committee on Disarmament has chosen the proper form for its work which makes it possible to assume that in the future, too, the Committee on Disarmament will be an effective organ which will hold talks on the questions of disarmament and on all those questions which are on the agenda of the Committee itself. The Soviet delegation considers the resolution proposed by Mexico, in co-sponsorship with a number of other delegations, concerning the work of the Committee on Disarmament to be a document whose content takes that fact into account and is not intended to make any recommendations concerning the structure or organizational form of this organ.

Taking into account all these considerations, we intend to support this draft resolution submitted by a number of delegations and to vote in favor of it.

Statement by the Canadian Representative (Ignatieff) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 9, 1969 [1]

I am happy to confirm that, as a result of negotiations among the sponsors of draft resolutions A/C.1/L.487,[2] L.488[3] and L.491,[4] what

[1] A/C.1/PV.1716, pp. 72–78.
[2] *Ante*, pp. 577–578.
[3] *Ante*, pp. 589–590.
[4] *Ante*, pp. 599–601.

I call a mutually acceptable marriage was arranged as a result of which a common draft has been agreed upon and submitted now in the name of the following co-sponsors—and perhaps I may be permitted to read them in case I have left any out: Austria, Australia, Belgium, Brazil, Bulgaria, Byelorussian SSR, Canada, Chad, Cyprus, Czechoslovakia, Ghana, Hungary, India, Jamaica, Liberia, Mexico, Mongolia, Netherlands, New Zealand, Nigeria, Pakistan, Poland, Romania, Uganda, Ukrainian SSR, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland and United States of America. I think that makes twenty-eight; I hope that my calculation is correct.[5]

The Canadian delegation, for its part, welcomes that draft as a carefully balanced basis for the negotiations which are to be undertaken in the Conference of the Committee on Disarmament in 1970, taking into account, as the merged draft says, both the draft Convention submitted by the socialist States[6] and the draft Convention submitted by the United Kingdom,[7] as well as any other relevant proposals—I leave it to other delegations to suggest what those may be—and directed towards reaching agreement on the prohibition of chemical and bacteriological (biological) methods of warfare.

The merged draft resolution also, in our view, makes appropriate reference to the report of the Secretary-General on chemical and bacteriological (biological) warfare,[8] expressing a well-deserved appreciation for the excellent work done. And in this connexion I should particularly like to express the appreciation of my delegation for the work done by Mr. Epstein, who presided over the meetings of the Committee of International Experts, and the other members of the Secretariat who were involved in the production of the Secretary-General's report.

The draft resolution recommends the widest possible distribution of that report and also recommends that it serve as a basis for the further consideration of chemical and bacteriological (biological) warfare by the Conference of the Committee on Disarmament.

While I am speaking, I should like to comment briefly on the other texts to which the Chairman referred. With respect to the draft resolution contained in document A/C.1/L.489[9] as I understand it, the essence of that draft is, in our view, an endeavour to (a) lay down an authoritative interpretation of the Geneva Protocol of 1925,[10] and (b) purport to declare that this interpretation is a generally recognized rule of international law. We realize, of course, that the question of interpretation owes its origin to ambiguity in the Geneva Protocol of 1925 as well as in the treaties and conventions regulating chemical and bacteriological (biological) warfare. We recognize and appreciate the endeavours of Sweden and other delegations to take positive steps to strengthen the Protocol, but we are concerned

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[5] The new draft resolution was identical with pt. B of G.A. resolution 2603 (XXIV), *post*, pp. 717–719. The 28 co-sponsors listed by Ambassador Ignatieff were later joined by Mali, Sweden, Finland, and Mauritius.

[6] *Ante*, pp. 455–457.

[7] *Ante*, pp. 431–433.

[8] *Ante*, pp. 264–298.

[9] Identical with pt. A of G.A. resolution 2603 (XXIV), *post*, pp. 716–717.

[10] *Post*, pp. 764–765.

whether the procedure they have adopted is an appropriate one under international law.

The question now before the Committee seems to us to be whether the United Nations General Assembly should attempt to legislate an interpretation of the Geneva Protocol as proposed in the draft resolution contained in document A/C.1/L.489. The United Nations declarations, such as the Outer Space Declaration,[11] intended to be authoritative statements of norms of customary international law, should surely be adopted only by consensus. Otherwise opposition, particularly on the part of any party, throws doubt on the validity of the Declaration and calls into question its applicability to the international agreement in question.

Where a doubt exists, as it does in this case, surely the course of prudence is to develop a consensus through negotiation, building upon the firm foundation of the Geneval Protocol. The United States of America has announced its intention to seek adherence [12] and other major Powers are either already parties or hopefully will soon become so. It would, in our view, be an undesirable complication to seek to interpret the Protocol, to which the widest possible adherence is being sought, at the very moment when a major Power known not to agree with that interpretation has expressed its intention to ratify the Geneva Protocol. I should add that another major Power that has adhered to the Protocol has not made known its attitude on the question of the interpretation proposed, and because it is not at present a member of the United Nations, has no opportunity to influence the Declaration in draft resolution A/C.1/L.489.

We have difficulty on other points of law involved in that draft resolution. At the time of its ratification of the Geneval Protocol, Canada attached two reservations. The first Canadian reservation stated that the Protocol was binding only as a first-use prohibition among parties, and the second reservation stated that for Canada the prohibition set out in the Protocol applied only as between parties. Similar reservations were made by many other parties to the Protocol. The wording of the draft resolution before us is such that, in effect, it would declare the reservations made by parties to the Protocol as being of no effect under international law. It is our view that changes in or nullification of reservations should not be attempted through a General Assembly resolution, but should be a matter of negotiation and decision for those parties to the instrument that have recorded reservations. The United Nations has demonstrated remarkable codification ability in recent years, and these highly sophisticated techniques should not, in our view, be by-passed in a matter of this importance.

The question as to whether the Geneva Protocol applies to international armed conflicts when the words "use in war" are contained in the instrument also, in our view, deserves further study.

For those reasons we shall have to abstain from voting on the draft resolution contained in document A/C.1/L.489 and on a similar draft resolution put forward by the delegation of Italy.[13]

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[11] *Documents on Disarmament, 1963*, p. 538.
[12] See *ante*, pp. 592–593.
[13] *Ante*, p. 634.

Statement by the Italian Representative (Vinci) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 9, 1969 [1]

Mr. Chairman, I apologize to you and to all members of the Committee for speaking again, but I thought it would speed up the work of our Committee if I introduced and explained the draft resolution submitted by the Italian delegation in document A/C.1/L.498, dealing with the question of chemical and bacteriological (biological) weapons.[2]

The extensive debates which have taken place on this subject in the First Committee during the last three weeks show a certain amount of ambiguity caused by the interplay of two factors: on the one hand, the existence of a universally spread feeling of abhorrence for the possible use of chemical and bacteriological (biological) weapons and the consequent tendency to ban and eliminate them; on the other hand, the juridical-technical complexities involved in any attempt to codify in strict terms a general rule of conduct in this field.

Following one or the other way of thinking, two different kinds of measures can be envisaged: measures of non-use, or measures of non-production.

Many delegations have brought to the work of the Committee a very valuable contribution by putting forward proposals concerning mainly the first or the second kind of measures.

The Italian delegation shares totally the intent and the objective of those proposals, which respond generously to a genuine movement of public opinion in many countries rejecting the danger of chemical and biological warfare. We have to bear in mind in this respect that public opinion has been rightly alerted to this danger by the report of the Secretary-General of last July which has, no doubt, marked a milestone in the discussion and consideration of this problem.[3]

While we share the concern of all those who request some action now, one which will not disappoint the expectations of our peoples, at the same time we are convinced that it would not be wise, at this stage of our work, to aim too far and have this complex problem settled now once and for all. Being too ambitious some times can become counter-productive. Here again, as well as on the question on general and complete disarmament, my delegation believes that we should move forward all together step by step. Thus we might achieve effectively tomorrow what is out of reach today.

Now as far as the ban on production and stockpiling is concerned, we naturally share the unanimous view that the only possible procedure that can be followed is that of transmitting to the Conference of the Committee on Disarmament the two draft Conventions which have been submitted by the United Kingdom Government[4] and by the Government of the Soviet Union and other Eastern European

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[1] A/C.1/PV.1716, pp. 78–82.
[2] *Ante*, p. 634.
[3] *Ante*, pp. 264–298.
[4] *Ante*, pp. 431–433.

countries and Mongolia.[5] On the basis of those two very valuable contributions, the Geneva Conference will be able, we trust, to make progress in its future sessions and report back to the General Assembly next year, especially if the new merged text which the representative of Canada has now referred to is adopted by this Committee and by the General Assembly, as we hope.

The other problem concerning the "non-use" of chemical and bacteriological (biological) weapons is in a way much easier. But precisely because it is an easier problem, we have to be careful to tackle it in such a way as not to create new difficulties and obstacles by the very eagerness and impulsiveness of our action.

Rather than trying to achieve immediately sweeping and final results on a not-universally-accepted basis, we think in fact that we should proceed gradually by strengthening and building on what exists and is questioned by no one. I refer to the Geneva Protocol for the Prohibition of the use in war of asphyxiating, poisonous or other gases and of bacteriological methods of warfare, the value of which has received widespread recognition during the present debate.

In the mind of the Italian delegation, our first objective should be to strengthen the effectiveness of that very important instrument.

I wish to stress in this connexion that we were extremely gratified a few days ago to hear President Nixon state that the United States intends to start the ratification process of the Geneva Protocol and to reaffirm the principle of no first use of chemical or bacteriological weapons as a cornerstone of the policy of the United States Government in this field.[6] That statement will provide a very helpful contribution to our work.

The Geneva Protocol has been signed and ratified so far by less than half the Member States of the United Nations. That number is still insufficient. In fact, as is suggested in the very simple and brief operative part of the draft resolution which I have the honour to introduce, the best course of action we could now take would be two-fold: first of all, to make a renewed appeal to all States to accede to the Geneva Protocol; secondly, to consider that in the meantime—that is, before all States have acceded—the prohibition contained in the Protocol applies vis-à-vis all countries which refrain from infringing the provisions of the Protocol.

This should not be interpreted as a gratuitous prize for non-signatories. On the contrary, it should be understood as a gesture, a gesture to encourage the largest number of States to accede to the Geneva Protocol, by stressing as of now the universal scope of its provisions on the basis of the principle of no first use, which in fact none of the parties to the Protocol rejects and which has had the widest acclaim during the course of the present debate.

We want to strengthen the Geneva Protocol, and we want to strengthen it by securing universal accession to it, so that it may become the fundamental international instrument codifying the ban on chemical and bacteriological (biological) weapons. A first positive and effective step in that direction is represented, in our mind, by the

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[5] *Ante*, pp. 455–457.

[6] For the President's statement, see *ante*, pp. 592–593. The protocol appears *post*, pp. 764–765.

very simple provision of that direction resolution I am presenting to the Committee. I hope that the members of the Committee will consider it in that light. It does not pretend to be more or less than one step forward, but it would be one sure step.

Statement by the Australian Representative (Shaw) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 9, 1969 [1]

I wish to explain the negative vote which will be cast by the Australian delegation on the draft resolution contained in document A/C.1/L.489.[2]

I would say at the outset that the Australian Government has been consistent in its opposition to chemical and biological warfare and in its support for efforts to negotiate with the minimum of delay effective and verifiable forms of international control over such agents.

The Australian Government approaches its consideration of the whole question of chemical, bacteriological and biological weapons as a party to the Geneva Protocol of 1925,[3] which Australia ratified in 1930. We consider that we have acted at all times in accordance with the provisions of the Geneva Protocol.

In disarmament discussions in recent years Australian delegations have consistently supported the need for a detailed review of all aspects of chemical, bacteriological and biological weapons. The report prepared by the experts appointed by the Secretary-General provides what we consider to be a useful basis for such a review. It describes in detail the new range of agents which have been developed as a result of the advance of science in the years since the negotiation of the Geneva Protocol. We believe that our objective of control over the use of those agents should be best pursued by seeking to define the threshold at which control can be put into force and by defining effective and acceptable means of verification.

To that end, further informed and detailed consideration of all aspects of chemical and bacteriological warfare is necessary. In my statement before this Committee on 28 November I set out in some detail our views on the ways in which the Conference of the Committee on Disarmament might take up all these related issues at its meetings next year. The adoption of the draft resolution contained in document A/C.1/L.500, sponsored by Australia and others [4] to which reference has just been made by the representative of Canada, would in our view be the most promising and indeed the only course which the General Assembly should take on this question at this time. The Conference of the Committee on Disarmament is the most appropriate forum, and amongst other things it should consider where

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[1] A/C.1/PV.1716, pp. 82–90.
[2] Identical with pt. A of G.A. resolution 2603 (XXIV), *post*, pp. 716–717.
[3] *Post*, pp. 764–765.
[4] Identical with pt. B of G.A. resolution 2603 (XXIV), *post*, pp. 717–719.

the Geneva Protocol should fit into whatever system of controls should be agreed upon as necessary.

It is with those objectives in mind that the Australian delegation examined the proposals contained in document A/C.1/L.489. The Australian delegation has objections to the propositions contained in this document, both for constitutional reasons and for considerations of substance. We also have grave misgivings about the procedural wisdom of acting in the way proposed.

First let me state our constitutional position. In brief, we would regard the adoption of the proposal in document A/C.1/L.489 as outside the General Assembly's mandate under Article 13 of the Charter. What the proposed resolution in document A/C.1/L.489 would do, on the basis of the fifth preambular paragraph, would be to declare that there are generally recognized rules of international law which prohibit certain methods of warfare; that those rules are embodied in the Geneva Protocol; and that accordingly certain stated practices are contrary to the asserted rules.

We believe that a declaration in such terms could hardly be accepted as "a recommendation . . . for the progressive development of international law and its codification" as prescribed in Article 13 of the Charter, nor for that matter as a "recommendation" with regard to "the principles governing disarmament and the regulation of armaments" as prescribed in Charter Article 11. Indeed, the draft resolution if adopted, would in our view run counter to the General Assembly's mandate in substance as well as in form. The resolution would purport to recognize "that the Geneva Protocol embodies . . . rules of international law" which in the terms of the draft depart from the prohibitions of the Protocol itself. The draft goes on to declare that certain uses of chemical and biological agents are contrary to rules as asserted by the General Assembly itself. In other words, the resolution would purport to recognize that the Geneva Protocol has an interpretation—that is to say, a scope and effect—which not only departs from its wording but which is expressly denied by some of the parties to it.

The fourth preambular paragraph of the draft resolution properly recites that some States without becoming parties to the Protocol "have declared that they will abide by its principles and objectives." It is also proper to recite, as that paragraph does, that the General Assembly without dissent "has called for the strict observance by all States of the principles and objectives of the Protocol". But we consider that it would be a very disputable proposition to infer from this that the principles and objectives of the Protocol are to be treated as having been generally accepted as law so as to become legally binding on all States, whether parties to the Protocol or not.

The draft resolution in document A/C.1/L.489 departs from the terms of the Geneva Protocol. Where the Geneva Protocol speaks of "the use in war", the draft resolution employs the words "the use in international armed conflicts". I shall not examine here the reasons which might lie behind this attempted rewording of the Protocol. The draft resolution would also replace the term "asphyxiating, poisonous or other gases" as used in the Geneva Protocol by the words "any chemical agents of warfare . . . (and) any biological agents of warfare", which are then enumerated.

It is our view that it is for the parties to a treaty or to a protocol to determine what it means and to agree if they so desire to redefinitions and interpretations of the terms of such legal instruments. I would remark that votes on the draft resolution now before this Committee would include those of a large number of Member States who are not parties to the Geneva Protocol.

A further constitutional objection to the draft resolution is that it takes no account of the reservations of many parties which were recorded at the time of their accession to the Protocol. The acces sion of Australia in January 1930 was subject to reservations including one that its obligations under the treaty would cease in respect of armed forces which did not respect the Protocol. The draft in document A/C.1/L.489 by ignoring such reservations attempts to interpret the Protocol in a different sense.

Again we wish to state our view that international conventions cannot be altered or interpreted simply by the passage of resolutions by the General Assembly. The passage of quasi-legal resolutions by the General Assembly, even by substantial majorities, does not necessarily state international law. Such resolutions may serve merely to underline the extent of disagreement about what international law is in some particular field. If the resolution in document A/C.1/L.489 is to be adopted, then in our view the negative votes and the abstentions of a significant body of opinion in the General Assembly would mean that the declaration would not have the legal effect which is sought by its co-sponsors.

I turn now to our objections of substance. The draft resolution would declare as contrary to the Geneva Protocol "any chemical agents of warfare" with "direct toxic effects on man, animals or plants." It is the view of the Australian Government that the use of non-lethal substances such as riot control agents, herbicides and defoliants does not contravene the Geneva Protocol nor customary international law. There are a number of such substances which are widely used throughout the world and which have important civilian applications. It is difficult to accept that agents which are employed by civilian police forces, as well as by the armed forces in many Member States, are "contrary to the generally recognized rules of international law." The correct course, we submit, to follow is to ask the Conference of the Committee on Disarmament in its search for prohibition and control to start with what are readily identifiable deadly agents.

In addition to our constitutional and our substantive objections, the Australian delegation believes that the passage of the draft resolution in document A/C.1/L.489 would be procedurally harmful. Australia as a party to the Geneva Protocol wishes to see that instrument sustained and built upon by the accession of States which are at present not parties to it. We have been told—and we must accept it—that the accession of one major Power, which would be of great significance, could be made more difficult if the General Assembly declared itself in the form required by this draft resolution. Similar difficulties might also be experienced by other potential adherents to the Protocol. The General Assembly should not

take action which would have the effect of hindering the wider acceptance of the Geneva Protocol.

It is on account of these various considerations—constitutional, substantive and procedural—that the Australian delegation will vote against the resolution in document A/C.1/L.489.

Statement by the Swedish Representative (Astrom) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 9, 1969 [1]

I would like to say a few words by way of introduction of the draft resolution in A/C.1/L.489 which contains a draft Declaration by the General Assembly regarding the prohibition of the use in international conflicts of chemical and biological means of warfare. We believe that that question has to be seen in its proper historical perspective.[2]

In 1966 the General Assembly adopted a resolution which recommended Governments to adhere to the Geneva Protocol of 1925 and, furthermore, recommended Governments to observe the objectives and the principles of the Protocol.[3] Thereafter, in 1968, the General Assembly decided to entrust to the Secretary-General the task of appointing a group of experts regarding the effects of biological and chemical means of warfare.[4]

The group, as pointed out by the Secretary-General, has presented a unanimous report which gives a full and clear picture of the effects of the use of chemical and biological means of warfare. When this report was presented and published, it was accompanied by a foreword by the Secretary-General containing some recommendations. One recommendation of the Secretary-General was that Member States should:

> . . . make a clear affirmation that the prohibition contained in the Geneva Protocol applies to the use in war of all chemical, bacteriological and biological agents (including tear gas and other harassing agents), which now exist or which may be developed in the future.[5]

That recommendation was dealt with by twelve of the members of the Committee on Disarmament in Geneva—called the non-aligned members of that Committee—last summer and the draft resolution now contained in document A/C.1/L.489 represents a slightly modified version of their original proposal which is contained in document ENDC/265, which is part of the total report of the Committee to the General Assembly.[6]

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[1] A/C.1/PV.1716, pp. 88–96.
[2] Identical with pt. A of G.A. resolution 2603 (XXIV), *post*, pp. 716–717.
[3] The G.A. resolution appears in *Documents on Disarmament, 1966*, pp. 798–799. For the Geneva protocol, see *post*, pp. 764–765.
[4] See *Documents on Disarmament, 1968*, pp. 793–795.
[5] *Ante*, p. 267.
[6] *Ante*, pp. 435–436.

The draft declaration, we note, has obtained wide support in this Committee during the general debate. As it now stands it has twenty co-sponsors. There has been some criticism of the draft resolution in the course of the debate and again today, and I should like to deal briefly with some of the questions raised.

Let me first deal with the legal argument that it is not proper for the General Assembly to interpret the Geneva Protocol of 1925. With regard to that argument I should like to say that the draft resolution does not interpret the Protocol *per se* but rather expresses the generally recognized rules of international law which have emerged in the matter. In large part, these have resulted from the impact of the Protocol and may even be taken to have the same scope as the Protocol, but they have emerged not exclusively as a result of the Protocol but also from other sources of international law, for instance agreements, State practice and the weight of doctrine.

May I draw the attention of delegations to the fact that the draft resolution in its operative part expressly refers to the generally recognized rules of international law as embodied in the Geneva Protocol. What I have now said seems also to meet the objections which are based on the fact of reservations by some signatories of the Geneva Protocol. It is entirely proper in our view for the General Assembly to affirm and to seek to clarify generally recognized rules of international law. The methods employed for that purpose may be different. The adoption of a resolution is the method which was used to affirm the Nuremberg principles, which were also originally embodied in a treaty between individual States.

The draft resolution now before us will, of course, not in itself bind the States more than any other United Nations resolution. It is, in the first instance, an expression of opinion by the Members who vote for it. If a consensus were to be attained, the position that would thus be expressed would be most authoritatively established. Even if the draft resolution were to be adopted by less than a consensus, the uncertainty expressed as regards the scope of the prohibition of chemical and biological means of warfare could, nevertheless, later become universally settled if States which were not able now to cast positive votes were, upon further study and further consideration, to rally to the majority view.

It has been suggested that voting on the draft resolution should be deferred until a consensus arises. Let me remind the Committee once again that the draft resolution is a response to an appeal made this year by the Secretary-General. The appeal was urgent and we believe that the question of a reply to it is equally urgent. There are indeed serious dangers inherent in the present situation, where a more restrictive interpretation has been advanced of the prohibition of chemical means of warfare in particular. There is a danger that this conflict of interpretation might lead, in any war, to escalation through retaliation. There is, further, the acute risk that the restrictive interpretation once it has been advanced may gain ground unless it is promptly met by strong and manifest support for the comprehensive interpretation. The present draft resolution is a way of channelling

the broad support that is believed to exist for the comprehensive interpretation into manifest form. It seeks to uphold the gains that have been made through the adoption of the Geneva Protocol and the emergence of the generally recognized rules on the matter and to prevent any erosion from taking place.

The aim of the draft resolution is thus essentially that of protecting the existing, as we see it, comprehensive prohibition of biological and chemical means of warfare from being undermined and eroded. Its aim is not to condemn any restrictive view that may have been taken in good faith. Indeed, it openly records that some uncertainty has existed which needs to be dispelled. It avoids political controversy.

It has been further stated that the assertion of the comprehensiveness of the prohibition contained in the draft resolution is erroneous. We feel that we demonstrated in the first statement by the Swedish delegation in the Committee, on 20 November, by Mrs. Alva Myrdal that in the decade following the adoption of the Geneva Protocol States did not doubt the comprehensive nature of the ban.[7] The doctrine overwhelmingly supports that interpretation. It is true that rules which are generally recognized as valid can be unrecognized through words and action. However, international law and the international community would be in grave danger if rules could be rescinded by the change of mind of one or a few States. Unless there is general support for, or acquiescence in, the abrogation, revision or new interpretation of a rule, it remains. The adoption of the present draft resolution, we feel, will ensure that no acquiescence is taken to have occurred in a restrictive interpretation of the prohibition of chemical and biological means of warfare.

Some of the objections go back to the fact that the Geneva Protocol is not a perfect prohibitory instrument. It has attached to it, for instance, a number of reservations by States which have ratified it. But as I stated in the beginning, the draft declaration speaks not only of the prohibition contained in the Geneva Protocol, but in particular of the generally recognized rules of international law which, as I said, comprise other international instruments, State practice and the opinion of established legal experts, that is, doctrine.

It has also been said that in any case the prohibitory rule could not cover anti-plant agents as they were not known in 1925, and that when they were discussed in the General Commission of the Geneva Disarmament Conference of 1933 it was only sought to prohibit the use of anti-plant chemical agents which also were harmful to man or animals.

We maintain that the indiscriminate use of anti-plant agents in armed conflict runs counter to the generally recognized rules of international law. No real scientific investigation has been made, as far as we know, of the long-term effects of anti-plant agents. I wish, in this context, to draw the attention of delegations to the report issued on 21 November 1969 by the World Health Organization in

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[7] See *ante*, pp. 565–574.

Geneva expressing the view of an eminent group of consultants to the World Health Organization on the health effects of possible use of chemical and biological weapons. In its chapter on anti-plant agents it is stated:

> In this connexion it must be borne in mind that the military employment of anti-plant chemicals may lead to their intake, by humans, in water and food, in dosages far higher than those experienced when the same chemicals are used for agricultural and other purposes.[8]

It is further mentioned in the report that a preliminary laboratory study with one of the anti-plant agents being used showed that offspring of mice and rats that had been fed with it had a higher number of deformities than expected.

I submit, therefore, that the assertion of the comprehensiveness of the existing prohibition against the use of chemical and biological means of warfare is an important and urgent matter and I express the hope that delegations will vote for the draft resolution contained in document A/C.1/L.489. We hope that it will be adopted by a large majority in such a way that it will become a meaningful manifestation of international opinion.

Statement by the French Representative (Dejammet) to the First Committee of the General Assembly, December 9, 1969 [1]

My delegation should like very briefly to explain its vote on the draft resolutions submitted on bacteriological and chemical weapons.

Generally speaking, we should like to point out that own [our?] attitude is determined first of all by the concern to safeguard the authority of the Geneva Protocol of which France is a depository.[2] I should like to make it clear also that France favours a ban not only on the use but also on the manufacture and stockpiling of chemical and biological weapons; obviously that requires a control system which would be effective.

That being the case, this will be our position with regard to the draft resolutions that have been submitted.

Concerning draft resolution A/C.1/L.489,[3] the French delegation confirms that it is true that through Mr. Paul Boncour in Geneva in 1925, [1930?] in connexion with the preparation of the Conference on Disarmament in 1932, France made it clear that the Protocol of 1925, in our view, was of a very general scope.[4] That is still our position. However, we have constantly maintained that the text of 1925 left no

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[8] *Health Effects of Possible Use of Chemical and Biological Weapons, Report of a WHO Group of Consultants*, Nov. 21, 1969, p. 25.

[1] A/C.1/PV.1716, pp. 97–101.

[2] The protocol appears *post*, pp. 764–765.

[3] Identical with pt. A of G.A. resolution 2603 (XXIV), *post*, pp. 716–717.

[4] See League of Nations, *Documents of the Preparatory Commission for the Disarmament Conference*, series X, p. 311.

doubts on that point. For that precise reason, we do not think it is up to the General Assembly, as called for in the text of draft resolution A/C.1/L.489, to give an interpretation of an international convention. Now, while favouring in substance that draft resolution of the twelve countries, my delegation will have to abstain in the vote on it.

As to draft resolution A/C.1/L.498, submitted by Italy,[5] it does not give rise to any objections on our part even if it does seem illusory to recommend in the same text adhesion to the Protocol of 1925 and to make that adhesion practically useless by making beneficiaries of the protection of that instrument States which are not parties to it, on the sole condition that they do not transgress the provisions. We have some hesitation, therefore, with regard to that draft resolution A/C.1/L.498, but our doubts do not justify a negative vote on our part.

Concerning draft resolution A/C.1/L.500 of the twenty-two Powers,[6] on which my delegation will vote favourably, the French delegation should like to make it clear that if sections A and B of the operative part meet with our approval; section C, however, does give rise to some reservations on our part. Not only does it refer the matter to the Conference of the Committee on Disarmament which does not seem to us to be the most appropriate organ to discuss a problem which is of interest primarily to all the signatories of the Protocol of 1925, and moreover, invites the Geneva Committee to reach an agreement on the banning of the use in war of chemical and biological agents. Now, for the vast majority of the Members of the United Nations, that objective has already been fully attained by the Protocol which I have mentioned. It is to be feared, as a matter of fact, that the provisions of the draft resolution will only give rise to a regrettable ambiguity on this point. If progress is to be made in the field of chemical and biological weapons, it concerns in truth not only the banning of their use in war, a question which has already been resolved subject to the fact that all States adhere to the Protocol of 1925, but that of their manufacturing and stockpiling. We were the first to recommend the initiative along those lines in our response to the Soviet memorandum on disarmament dated 1 July 1968.[7]

The draft conventions [8] referred to by the draft resolution in part C do indeed deal with that aspect of the problem, but they hardly hold out any hope for a satisfactory solution since one of them disregards the need for effective control and the other affects only biological means of warfare.

Hence, by voting for draft resolution A/C.1/L.500 we intend to confirm the condemnation of chemical and biological warfare which we have constantly proclaimed. But that does not mean that we subscribe to a procedure which does not seem to us likely to produce the results which are so rightly expected in this field by public opinion.

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[5] *Ante*, p. 634.

[6] Substantially identical with pt. B of G.A. resolution 2603 (XXIV), *post*, pp. 717–718; in the final version, the sections were designated I, II, and III instead of A, B, and C.

[7] See *Documents on Disarmament, 1968*, p. 585.

[8] See *ante*, pp. 431–433, 455–457.

Revised Brazilian Working Paper on Article III of the Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and Ocean Floor and the Subsoil Thereof, December 10, 1969 [9]

In order to safeguard the rights enjoyed by the coastal State on its continental shelf, in accordance with international law, the Brazilian delegation proposes that article III of the draft treaty be amended to read as follows:

(1) In order to promote the objectives of and ensure compliance with the provisions of the Treaty, each State Party to the Treaty shall have the right to verify through observation the activities of other States Parties to the Treaty on the sea-bed and the ocean floor and in the subsoil thereof beyond the outer limit of the maritime area referred to in article I, provided that observation does not interfere with such activities or otherwise infringe rights recognized under international law.

(2) If after such observation substantial doubts remain concerning the fulfilment of the obligations assumed under the Treaty, the Parties concerned shall consult with a view to removing the doubts and, if the doubts persist, shall co-operate in such further procedures for verification as may be agreed. Parties recognize that such verification shall not interfere with the activities in question.

(3) Verification pursuant to this article may be undertaken by any State Party using its own means, or with the assistance of any other State Party which may be sought directly or indirectly through appropriate international good offices including those of the Secretary-General of the United Nations.

(4) (a) Verification procedures shall not be carried out in areas under the national jurisdiction of any State Party or in its superjacent waters without due regard for the sovereign rights of coastal States.

(b) Prior to initiating verification procedures in areas under the national jurisdiction of any State Party, the State Party proposing to initiate such procedures undertakes to notify the coastal State which shall manifest within a reasonable period of time whether it wishes to be associated with the verification.

(5) In the carrying out of verification procedures on the sea-bed and the ocean floor and the subsoil thereof beyond national jurisdiction, Parties in the region of the activities or any other Party may participate in the consultation and co-operation referred to in paragraph (2).

(6) In the event that consultation and co-operation have not removed the doubts and there is serious question concerning the fulfilment of the obligations assumed under this Treaty, States Parties to this Treaty may, in accordance with the provisions of the Charter of the United Nations, refer the matter to the Security Council.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 10, 1969 [1]

The First Committee is now called upon to take a decision on one of the most important questions on the agenda of the current session

[9] A/C.1/993/Rev. 1, Dec. 10, 1969. The draft treaty appears *ante*, pp. 507–509.
[1] A/C.1/PV.1717, pp. 11–15.

of the General Assembly, the question of a complete ban on the use of chemical and bacteriological weapons. This decision should serve to stimulate measures leading to the complete elimination of one of the most dangerous weapons of mass destruction.

Three draft resolutions have been submitted to the Committee on this subject, contained in documents A/C.1/L.489,[2] A/C.1/L.498[3] and A/C.1/L.500.[4]

The draft resolution contained in document A/C.1/L.500, submitted by thirty delegations, including nine socialist countries, reflects the results of the debate that has taken place in the General Assembly in connexion with the consideration, on the initiative of the socialist countries, of the question of chemical and bacteriological weapons. The debate in this Committee has indicated that the consideration, as a result of the proposal of the socialist delegations, as an urgent matter, of the conclusion of an international convention on the prohibition of the development, production and stockpiling of chemical and bacteriological weapons and on the destruction of such weapons has been supported by many delegations.[5] In this connexion, we should like to express our deep satisfaction at the manner in which the debate on this question of the convention has taken place.

There is no doubt that a need exists for the urgent conclusion of such a convention. Representatives agree that the General Assembly, in connexion with its previous attempts to ban chemical and bacteriological weapons, must now adopt a decision which should lead to the final elimination of the dangers involved in the unleashing of a war in which chemical and bacteriological weapons would be used. Unanimity of views has been achieved on the point that a complete ban on chemical and bacteriological weapons should be linked with a further strengthening of the Geneva Protocol of 17 June 1925 [6] by the accession to this Protocol of those countries which have not yet done so and also through strict compliance by all Governments with the purposes and objectives of that instrument.

We also note with satisfaction that most delegations have given an extremely high valuation to the report of the Secretary-General on chemical and bacteriological (biological) weapons and the effects of their possible use.[7] The conclusions of that report indicate the considerable danger for the future of mankind of a war in which chemical and bacteriological weapons would be used, and these conclusions further underline the urgent necessity for the adoption of arrangements banning these means of warfare.

An important conclusion that may be reached on the basis of the Secretary-General's report and statements made by representatives during the debate is the necessity to consider matters linked to chemical and bacteriological weapons as one single problem. Yet another

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[2] Identical with pt. A of G.A. resolution 2603 (XXIV), *post*, pp. 716–717.
[3] *Ante*, p. 634.
[4] Identical with pt. B of G.A. resolution 2603 (XXIV), *post*, pp. 717–719.
[5] *Ante*, pp. 455–457.
[6] *Post*, pp. 764–765.
[7] *Ante*, pp. 264–298.

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practical conclusion stems from the debate that has taken place, namely, that the General Assembly should call upon the Conference of the Committee on Disarmament, as an urgent matter, to work on the text of a convention banning the production, development and stockpiling of chemical and bacteriological weapons and on the destruction of such weapons. As a basis for such a convention, in our opinion use should be made of the provisions that exist for the draft convention that have been proposed by a group of socialist countries, contained in document A/7655.[8]

All these conclusions to which I have just referred were reflected in a draft resolution which is contained in document A/C.1/L.500, and we express the hope that this draft will be widely supported by delegations attending this session of the General Assembly.

The First Committee also has before it the draft resolution submitted by the Swedish and other delegations, contained in document A/C.1/L.489. This draft, we believe, is a sort of sequel to decisions already adopted by the General Assembly from the standpoint of further strengthening the Geneva Protocol of 17 June 1925. The Soviet Union's position on the subject of the Geneva Protocol is well known. We believe that the Geneva Protocol of 1925 is an active agreement whose conclusion, both from the political point of view and from the standpoint of its place in international law, does not create any doubt. With this in mind, we share and support the conclusions submitted yesterday in a statement made by the representative of Sweden on the subject of the significance of the Geneva Protocol as an agreement containing in its text generally recognized standards of international law.[9] On the basis of this position and on this understanding, the Soviet delegation supports the draft resolution submitted by the delegations of Sweden and nineteen others, which is contained in document A/C.1/L.489. The Soviet delegation will vote in favour of the adoption of this draft.

A draft resolution submitted by Italy, contained in document A/C.1/L.498, is also before the Committee. From the point of view of its preamble, this draft resolution seems to repeat what has already been said in other draft resolutions on the subject. However, this draft has a smaller scope than the other drafts on this subject. On the other hand, the operative part of the draft resolution, to a certain extent, runs counter to those submitted on this subject in other documents.

Basically, the Italian draft resolution would limit the scope of the Geneva Protocol as a generally recognized rule of international law. From this point of view, the adoption of the Italian draft resolution would signify, basically, a negation of that which is proposed in the draft co-sponsored by Sweden and nineteen other countries, a negation of the fact that the Geneva Protocol has established a generally recognized rule of international law.

For these reasons, the Soviet delegation does not find it possible to support the draft resolution proposed by the Italian delegation, which is contained in document A/C.1/L.498.

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[8] *Ante*, pp. 455–457.
[9] *Ante*, pp. 681–684.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Chemical and Bacteriological Weapons, December 10, 1969 [1]

The problem of finding an effective and promising line of action for arms control and disarmament efforts relating to chemical and biological methods of warfare has been increasingly recognized as one of the most important and urgent problems in the disarmament field. The United States delegation is, therefore, particularly gratified that it was possible for our own Government to announce on 25 November a number of significant steps in this field.

Since Ambassador Yost has already drawn the attention of this Committee to President Nixon's announcement,[2] and since it has been widely commented on in the Press, I shall not, at this time, recapitulate on the decisions. I shall only note that these decisions will materially assist us, in Geneva, when we resume there in the Conference of the Committee on Disarmament the search for reliable arms control measures connected with chemical and biological weapons.

An even more recent development which we also are most gratified to be able to note is the successful outcome of the consultations here in the First Committee regarding the proper handling by this Committee of the major proposals put forward in this field, the United Kingdom draft convention on biological methods of warfare [3] and the nine-Power draft on chemical and bacteriological weapons.[4]

As we know, wide agreement on this matter has been reached and the United States is pleased to be able to join as one of the co-sponsors of resolution A/C.1/L.500.[5] I have nothing of substance to add to the very concise introduction given to the resolution yesterday by the representative of Canada, Ambassador Ignatieff.[6] I shall only draw attention to the fact that its language, particularly operative section c, is carefully drawn to ensure that, in the Conference of the Committee on Disarmament, the discussion will be completely open and without prejudice for or against any of the various substantive proposals which that body may wish to take up.

I wish that we could be equally positive about the resolution sponsored by the twelve non-aligned members of the Conference of the Committee on Disarmament, that is resolution A/C.1/L.489.[7] Unfortunately, we cannot. The United States is compelled to oppose this resolution, the substance of which, in the light of its importance and complexity, we believe, should have been referred to the Conference of the Committee on Disarmament, together with the other

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[1] A/C.1/PV.1717, pp. 16–21.

[2] For Ambassador Yost's statement, see A/C.1/PV.1699, Nov. 25, 1969, pp. 57–62. President Nixon's announcement appears *ante*, pp. 592–593.

[3] *Ante*, pp. 431–433.

[4] *Ante*, pp. 455–457.

[5] Identical with pt. B of G.A. resolution 2603 (XXIV), *post*, pp. 717–719.

[6] *Ante*, pp. 673–675.

[7] Identical with pt. A of G.A. resolution 2603 (XXIV), *post*, pp. 716–717.

substantive proposals which have been made with respect to chemical and bacteriological warfare during our deliberations. We have two reasons for strongly opposing this resolution.

First, we consider it inappropriate for the General Assembly to attempt to interpret international law, as embodied in the Geneva Protocol [8] or in any other treaty, by means of a resolution.

Second, we do not believe that the conclusion contained in the resolution with respect to what is prohibited under generally recognized rules of international law, as embodied in the Geneva Protocol, can be justified.

With respect to the first point, I should like to point out that since its beginning the General Assembly has only in a few instances adopted resolutions which sought to affirm or declare general principles of international law, and, when it has done so, it has been in cases where there was substantial unanimity of view among its members. It would be a grave error for the General Assembly to adopt a new practice now of interpreting treaties by majority vote —a majority which might, in certain cases not include important parties to the treaty being interpreted, or which might include many members of this body who were not parties to the treaty, and to abandon the sound approach to developing international law which has been followed in the past.

This sort of action could, in the end, tend to undermine international law and respect for the General Assembly. For the Assembly now to arrogate to itself the right to resolve by majority voting a matter of deep dispute and differing interpretation of international law would be a real disservice to the international community.

With respect to the second point I mentioned, that we do not agree with the interpretation which this resolution would place upon international law as embodied in the Geneva Protocol, I note that for the last forty years States have recognized the ambiguity of the Geneva Protocol, as to whether it prohibits the use of riot-control agents. They have not been able to resolve this ambiguity, despite several efforts to do so, and here we must respectfully differ with the Swedish delegation with regard to the conclusive—or we would say "inconclusive"—character of the negotiations leading up to the abortive Disarmament Conference of 1933. For if, as Ambassador Aström said yesterday, of the Geneva Protocol, "States did not doubt the comprehensive nature of the ban",[9] one must then ask why, in the years after 1925, they continued to debate it.

To resolve this long-standing ambiguity, the sponsors of resolution A/C.1/L.489 have taken the technical definition of chemical agents of warfare and biological agents of warfare from a report transmitted by scientific experts to the Secretary-General on 30 June 1969,[10] and they have incorporated those definitions in their draft resolution. The experts themselves, in formulating these technical definitions, did not maintain that they were derived from or related directly to customary international law or the Geneva Protocol, or that the definition had any legal character. Since these experts were not lawyers, nor diplomats, nor did their terms of reference for their

[8] *Post*, pp. 764–765.
[9] *Ante*, p. 683.
[10] *Ante*, p. 271.

study cover legal or political elements; they limited themselves to accepting these definitions only for the purposes of their report.

We have examined in detail the negotiating histories of the 1899 and 1907 Hague Conventions,[11] the Treaty of Versailles of 1919,[12] the 1922 Washington Treaty, which never entered into force,[13] and the 1925 Geneva Protocol, and we have concluded that the negotiating histories of these treaties support the view that riot-control agents are not covered by the Geneva Protocol, and that, accordingly, resolution A/C.1/L.489 incorrectly interprets the generally recognized rules of international law as embodied in the Geneva Protocol.

I should be glad to make copies of our memorandum on these and other legal questions available to any delegation that may wish to have it.

Among the other legal problems which trouble us about resolution A/C.1/L.489 is the fact that it fails to take account of the fact that many parties to the Geneva Protocol, including almost all major Powers, have entered reservations to provide that the Protocol will cease to bind reserving parties when an enemy State, or its ally, fails to observe the Protocol. These reservations have made the Protocol, in effect, a no-first use, rather than a non-use agreement, with respect to both chemical warfare and biological warfare, a fact completely ignored by the draft resolution.

Finally, resolution A/C.1/L.489 refers to the use "in international armed conflicts" of bacteriological and chemical methods of warfare, whereas the Geneva Protocol, as well as the Secretary-General in his well-known second recommendation, speaks more directly and simply of their use in war and warfare.[14]

We do not know if the wording introduced in resolution A/C.1/L.489 is more restrictive or less restrictive than the familiar language of the Protocol. Presumably it is not equivalent, since there would not in that case have been any reason to alter language about which there had not been to our knowledge any long-standing dispute or ambiguity. The new language is put forward without explanation or definition, although it seems to us that the question of when, in what situation, the Protocol is to apply, is of equal importance with the question of what weapons it is to apply to.

The introduction of such an ambiguity, with regard to the coverage of the Geneva Protocol, seems to us incompatible with the widely acknowledged objective of strengthening that instrument. Since chemical herbicides, unknown at the time the Geneva Protocol was negotiated, were not prohibited by that instrument, it is unwarranted for the General Assembly now to engage in lawmaking by attempting to extend the Geneva Protocol to include chemical herbicides.

Finally, a brief word on resolution L.498, submitted by the delegation of Italy.[15] We understand that this resolution is to encourage

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[11] William M. Malloy, comp., *Treaties, Conventions, International Acts, Protocols and Agreements Between the United States of America and Other Powers, 1776–1909*, vol. II, pp. 2042, 2052, 2269, 2285–2286.
[12] C. F. Redmond, comp., *Treaties, Conventions*, etc., vol. III, pp. 2596–2599.
[13] *Ibid.*, pp. 3118–3119.
[14] *Ante*, p. 267.
[15] *Ante*, p. 634.

wider adoption of a policy of "no first use". As this Committee knows, President Nixon has recently reaffirmed the United States policy of "no first use". We are therefore sympathetic to this objective of the Italian resolution. It seems to us, however, to raise some complex problems of interpretation of the Geneva Protocol, which we do not believe should be interpreted by this body. Accordingly, we think it preferable for those problems to be further discussed in the Conference of the Committee on Disarmament, along with other questions related to chemical and bacteriological warfare.

Statement by the United States Representative (Buffum) to the First Committee of the General Assembly: Peaceful Uses of Atomic Energy, December 10, 1969 [1]

The United States delegation is pleased at this time to introduce the draft resolution which is now before the Committee in document A/C.1/L.502 which deals with the provision of peaceful nuclear explosion services.[2] This draft resolution, as is indicated in the text, is also co-sponsored by Mexico, Austria, Canada, Denmark, Japan and the Netherlands.

Document A/C.1/L.502 is the product of extensive negotiations between ourselves and several other delegations and it has frankly involved some concessions by the various parties required to develop a formulation which we now hope will find broad acceptance among most Members. In this connexion I should like to pay particular tribute to the Under-Secretary of Foreign Affairs of Mexico, Mr. Garcia Robles, and his highly competent and co-operative staff for the imagination and flexibility which made this compromise possible.

The views of my delegation on this subject are well known and I shall not dwell on them at length this afternoon. We continue to believe, like the preceding speaker, that the International Atomic Energy Agency is the appropriate organization to discharge the responsibilities anticipated for an international body in article V of the Treaty on the Non-Proliferation of Nuclear Weapons.[3] Accordingly, we shall continue to work in Vienna to strengthen the Agency's capabilities in this area. The draft resolution before the Committee acknowledges the good work which the Agency has performed to date, and identifies a number of worth-while activities that the IAEA might wish to undertake over the next year. My Government also believes that the IAEA should be the focal point for framing the agreement and the agreements called for in article V. At the same time we recognize that there has been a continuing interest on the part of the Assembly in following further developments in this field. Moreover, we appreciate that the character of the agreement or agreements to be concluded pursuant to article V of

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[1] A/C.1/PV.1718, pp. 6–10.
[2] Identical with pt. B of G.A. resolution 2605 (XXIV), *post*, pp. 725–727.
[3] *Documents on Disarmament, 1968*, pp. 461–465.

the non-proliferation Treaty must still be the subject of further consultations between the parties concerned. Accordingly, for those reasons, we are prepared to support the formulations contained in operative paragraphs 7 and 8 of the draft resolution before us.

However, as is the case with other items which found their origin in the Non-nuclear Conference, we would hope that, following the next session of the General Assembly, it would be feasible for the interested agencies concerned—and in this case the IAEA—to report their further progress in this field in the normal way as part of their conventional reports to the Assembly.

While I have the floor, Mr. Chairman, with your permission I should like also to explain our views on a related draft resolution contained in document A/C.1/L.497, dealing with the implementation of the results of the Non-nuclear Conference.[4]

The United States will vote for this draft resolution because we consider it to be the appropriate way to handle this matter, recognizing that it is desirable, wherever practicable, to achieve a formulation that will command the broadest support of the membership. However, I should like to make two brief comments about our support.

First, we do not construe the terms of this draft resolution, and most particularly the third preambular paragraph, as constituting a blanket endorsement by the General Assembly of each of the resolutions of the Non-nuclear Conference. It will be recalled that the twenty-third session of the General Assembly avoided giving those resolutions such an endorsement since, while many States agreed with some of the resolutions, others, including the United States, could not subscribe to several of the formulations. Therefore, we have interpreted the resolution as a general request to the United Nations, the specialized agencies and the IAEA to continue to do what they appropriately can, and I stress the word "appropriately", to carry out the principal wishes of the Non-nuclear Conference recognizing that in some instances implementation may not be readily feasible.

Secondly, I should like to comment on the proposition found in paragraph 10 of this resolution to the effect that the question of the implementation of the results of the Non-nuclear Conference be placed again as a special item on the agenda for the twenty-fifth session of the General Assembly. We do not object to this paragraph since we recognize that some members wish to have the opportunity to discuss the matter once again next year. But we frankly hope that next year the Committee will see fit to handle this matter in a somewhat different manner, and that it will rely on established mechanisms for reporting activities in this field to the Assembly rather than perpetuate a series of special reports on the subject. In our view the continued preparation of such special reports will place an undue demand on the already overburdened secretariats, and may only serve to distract staff—and I refer here specifically to the IAEA secretariat—from carrying out the important responsibilities which they face in implementing the non-proliferation Treaty. We also be-

[4] Identical with pt. A of G.A. resolution 2605 (XXIV), *post*, pp. 723–725.

lieve that this Committee should devote its primary attention in the nuclear field to questions of disarmament and that we should leave it to others to foster international co-operation concerning the peaceful uses of atomic energy. Therefore, in the year ahead, we shall be consulting closely with several delegations as to how such items might most effectively be handled in the future.

Statement by the Netherlands Representative (Eschauzier) to the First Committee of the General Assembly: Implementation of Recommendations of the Conference of Non-Nuclear-Weapon States, December 10, 1969 [1]

I am glad to introduce on behalf of the delegations of Argentina, Australia, Austria, Brazil, Denmark, Finland, Italy, Japan, Madagascar, Mexico, Pakistan and the Netherlands the draft resolution contained in document A/C.1/L.497 dealing with the implementation of the resolutions of the Conference of Non-Nuclear-Weapon States.[2] In particular, this draft resolution addresses itself to two reports which the Committee now has before it, namely those in documents A/7677 [3] and A/7568.[4]

In the first place I should like to thank and to congratulate the Secretary-General for submitting these two excellent reports. My congratulations and words of appreciation also go to the members of his staff, to the Director-General of the International Atomic Energy Agency and his able assistants, and last but not least to the group of experts that drew up the report contained in document A/7568.

It would be presumptuous for me to elaborate on the contents of these reports. Suffice it to say that they cover a broad range of subjects which were of particular interest and concern to the delegations participating in the Conference of Non-Nuclear-Weapon States. Having read them, I feel that they delineate the areas which are of primary interest and set out in a concise manner what has been achieved in the various fields we are dealing with and, in particular, what further action could be taken.

Now, of course, such action does not depend entirely on the International Atomic Energy Agency in Vienna itself or one of the other specialized agencies, or on any other bodies. To achieve success a great deal of co-ordination is required and I am hopeful that as a result of the recommendations made in the two reports some substantial progress can be made.

I do not want to take up the time of this Committee unduly. So, I shall just point out what are in my person[al] opinion the highlights of the draft resolution I am now introducing to the Committee.

First of all—and I think this is a very important point—I

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[1] A/C.1/PV.1718, pp. 11–15.
[2] Identical with pt. A of G.A. resolution 2605 (XXIV), *post*, pp. 723–725.
[3] *Ante*, pp. 350–373.
[4] *Ante*, pp. 256–263.

would like to draw attention to sub-paragraph (b) of the fifth preambular paragraph, dealing with the expansion of the Board of Governors of the International Atomic Energy Agency (IAEA). We all know that this is a very delicate and complex matter. I think it is a matter for some satisfaction that in the course of the negotiations which have been conducted by the Board of Governors a decision on a modest expansion of the Board has already been reached and that the question of the adequate and balanced geographical distribution of seats in the enlarged Board is now being discussed further on the basis of the general criteria which were set forth, if my memory does not betray me, in two different resolutions of the Conference of Non-Nuclear-Weapon States and which were spelled out in more detail in a resolution devoted to this subject by the General Conference of the IAEA.

Furthermore, I would like to underline the importance of the ninth preambular paragraph, which deals with

> a comprehensive study of the likely capital and foreign exchange requirements for nuclear projects in developing countries during the next decade . . .

and the financing of those requirements on special and favourable terms. Here again it is not surprising that this initiative came in the first instance, Mr. Chairman, from a representative of your country. To my knowledge my friend and colleague Dr. Uzmani is pursuing this subject vigorously, and I do not doubt that in the end a satisfactory solution will be found.

Now turning to the operative part of the draft resolution, I would like to point out in the first place that in paragraph 1 the IAEA is invited

> to take further appropriate action on recommendations of the Conference of the Non-Nuclear-Weapon States in planning and carrying out their activities.

I do not doubt that the Director-General, the Board of Governors and the members of the staff of the Secretariat will do their utmost to comply with that request.

Another important paragraph is paragraph 3 which "draws the attention of the international sources of finance to the recommendation contained" in the report of the group of experts.

The next operative paragraph deals in a somewhat different context with the same subject, namely, co-operation between different institutions

> in finding ways and means for financing meritorious nuclear projects, bearing in mind not only the near but also the long-range contribution such projects may make to economic and technical development,

in particular of the developing countries.

Furthermore, the next operative paragraph draws the attention—once again I should say—of the member States of the International Atomic Energy Agency to the appeals which over the past years have repeatedly been made by the Director-General of the IAEA, Mr. Eklund, to the members to increase the funds available to the Agency for multilateral assistance in the nuclear field.

I would also draw the Committee's attention to operative paragraph 6, which

> Notes with satisfaction the action taken so far by the International Atomic Energy Agency regarding the 'fund of special fissionable materials' and requests the Agency to continue its efforts to ensure the supply to Member States

of such materials—and in particular with a view to fuelling power reactors, when required.

The three last paragraphs of the draft resolution are of a procedural nature and culminate in the very last paragraph, operative paragraph 9, in a request to "the Secretary-General to place on the provisional agenda" of the next session of the General Assembly "the question of the implementation of the results of the Conference of Non-Nuclear-Weapon States". That ensures that this Committee and the General Assembly can confidently look forward to another progress report on all matters which are covered by the two reports to which I have referred and on the specific demands, requests, invitations and recommendations embodied in the present draft resolution.

I do hope, and I am confident, that this draft resolution which has been the result of extensive consultations with a number of delegations will command the broadest possible support.

Statement by the Indian Representative (Husain) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, December 10, 1969 [1]

I should like to express the views of my delegation with regard to the draft resolution contained in document A/C.1/L.502.[2]

We have already expressed our views in the general debate on the IAEA report contained in document A/7678, and would not wish to repeat what we have already said. We have expressed the view, in Geneva, in Vienna and here, that in our opinion the IAEA, under the provisions of its Statute, is fully competent to undertake the responsibility for the establishment of an international service for peaceful nuclear explosions, and that this responsibility should be discharged by the IAEA, but that it should be done on a non-discriminatory basis. In conformity with Article XI of the Statute of the IAEA,[3] all non-nuclear-weapon States members of the IAEA have the right to share equally in the benefits to be derived from the functioning of the service. In view of that, no condition can legally be imposed on the categories of recipients of assistance from that service beyond that of the membership of the IAEA.

We feel, therefore, that the reference in operative paragraphs 5 and 7 of the draft resolution contained in document A/C.1/L.502 to Article V of the Treaty on the Non-Proliferation of Nuclear Weapons[4] is unnecessary and not in conformity with the Statute of the IAEA. I might add that paragraph 7 does not belong among the operative paragraphs at all.

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[1] A/C.1/PV.1718, pp. 16–17.
[2] Identical with pt. B of G.A. resolution 2605 (XXIV), *post*, pp. 725–727.
[3] *American Foreign Policy: Current Documents, 1956*, pp. 923–924.
[4] *Documents on Disarmament, 1968*, pp. 461–465.

It may be recalled that Article V of the non-proliferation Treaty seeks to ensure the availability of not existing but "potential benefits from any peaceful application of nuclear explosions"; and those potential benefits, as and when they become feasible, are to be made available through special international agreements or bilateral arrangements, which have to be negotiated and concluded in the future so as to provide for appropriate international observation and procedures.

It would be seen, therefore, that Article V of the non-proliferation Treaty is only an enabling provision—and no more than an enabling provision—for a specific and limited purpose. The question of the establishment of an international service for nuclear explosions for peaceful purposes has therefore to be seen in its larger perspective. This question is logically and directly linked to that of a comprehensive test ban and should be considered in conjunction with it.

There are two equally important aspects of the question of nuclear explosions: economic and disarmament. In the development of peaceful nuclear technology, nuclear explosions for peaceful purposes occupy a very important place and might become perhaps the most significant instrument for the economic development of developing countries. There should, therefore, be neither any monopoly nor any discrimination in regard to the development of the technology of nuclear explosions for peaceful purposes.

The disarmament aspect of nuclear explosions requires a complete stoppage of all nuclear explosions with a view to putting an end to the nuclear arms race. In the context of a comprehensive test ban, we would need to deal with the economic aspects of nuclear explosions, which would require a separate international agreement to be negotiated for regulating such explosions. Such an international agreement would have to legislate the purposes for which the explosions would be permitted and lay down the provisions under which they could be conducted. It would have to provide the necessary safeguards from the point of view of health and safety requirements.

None of those aspects is dealt with in any existing international instrument, such as the partial test ban Treaty and the non-proliferation Treaty, nor indeed could one expect them to be provided from within the body of an underground nuclear test ban treaty.

Taken all together, these various matters will require a whole complex of rules and regulations laying down and governing an international régime of nuclear explosions for peaceful purposes.

For these reasons, the reference to Article V of the Treaty on the Non-Proliferation of Nuclear Weapons in operative paragraphs 5 and 7 of the draft resolution—which would seem to restrict the scope of the consideration of this matter—is objectionable and unacceptable to my delegation.

We would therefore abstain from voting on draft resolution A/C.1/L.502, it being in any case our understanding that that draft resolution, if adopted, would not in any way affect the legal position flowing from the provisions of the Statute of the IAEA.

Statement by the Brazilian Representative (Araujo Castro) to the First Committee of the General Assembly: Peaceful Nuclear Explosion Services, December 10, 1969 [1]

I wish to explain briefly the position of the delegation of Brazil with regard to draft resolution A/C.1/L.502.[2]

In a previous statement before the First Committee, the delegation of Brazil set forth at length its views on an international service for nuclear explosions for peaceful purposes. On that occasion, we stated that such service should be provided by the International Atomic Energy Agency, pursuant to provisions of its Statute, to all its members.

Furthermore, we emphasized that the role to be played by the Agency in this field should be the subject of study from the standpoint of the Statute of the Agency, and should not be confused with other functions the Agency may or may not eventually perform in connexion with the Treaty on the Non-Proliferation of Nuclear Weapons.[3]

As we stated before, General Assembly resolution 2456 C (XXIII), which is recalled in the first preambular paragraph, addresses itself only to the broad question of the establishment within the IAEA of an international service for peaceful nuclear explosions.[4] It did not refer—nor should it have referred—to the problems related to the implementation of Article V of the non-proliferation Treaty.

We maintain that the international service which is the subject of resolution 2456 C (XXIII) is totally independent of whatsoever action or measure the parties to the non-proliferation Treaty may intend to take in connexion with the implementation of Article V of that Treaty.

The present draft resolution, in its operative paragraphs 5 and 7, confuses those two different issues and concepts, and therefore cannot receive the support of the delegation of Brazil.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Peaceful Uses of Nuclear Energy, December 10, 1969 [1]

The Soviet delegation would like to express its views on the matter now before us and to explain its position on the draft resolutions submitted to the Committee in documents A/C.1/L.497 [2] and A/C.1/L.502.[3]

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[1] A/C.1/PV.1718, p. 18.
[2] Identical with pt. B of G.A. resolution 2605 (XXIV), *post*, pp. 725–727.
[3] *Documents on Disarmament, 1968*, pp. 461–465.
[4] *Ibid.*, pp. 799–801.
[1] A/C.1/PV.1718, pp. 26–32.
[2] Pt. A of G.A. resolution 2605 (XXIV), *post*, pp. 723–725.
[3] Pt. B of G.A. resolution 2605 (XXIV), *post*, pp. 725–727.

First of all, allow me to express my views on the subject referred to in document A/C.1/L.497 on the Conference of Non-Nuclear-Weapon States. The draft resolution refers to questions considered at the Conference of Non-Nuclear-Weapon States. The Soviet delegation and the Soviet Union have had occasion many times to refer to our position on this matter and to state that the decisions adopted at the Conference were adopted without sufficient grounds and without the necessary consideration or participation in the consideration of those matters of various interested organizations. Now we have to state that we are witnessing a trend whereby questions connected with the decisions of the Conference of Non-Nuclear-Weapon States are linked from year to year to the agenda of the Assembly and have thus become a regular event.

According to paragraphs 8 and 9 of the draft resolution, the Secretary-General is to submit additional reports or carry out additional action in connexion with the agenda of the twenty-fifth session. We cannot agree with such arrangements. The question which is considered in the draft resolution before us is the peaceful utilization of atomic energy. Now it is well known that the International Atomic Energy Agency is entrusted with work in this field and the task of the General Assembly, in our opinion, is not to substitute itself for the Agency but to grant to the latter all possible assistance in its difficult and complicated task. All the more as this task has become even more complicated and difficult as a result of the implementation of the Non-Proliferation Treaty.[4] Further, the Agency has been created for specific purposes. It unites over 100 States Members and has specific tasks to fulfil. The Agency submits every year a report on its activities to the General Assembly. The discussion of that report provides all the necessary possibilities for interested States to exchange views on the work of the Agency, to refer to various aspects of this work and to comment on and evaluate it, but bearing in mind in this connexion that the Agency is an independent organization and establishes its structure independently, particularly from the point of view of its over-all activities and that consequently it is not possible or desirable to interfere with the work of the Agency and to force upon it some sort of specific structure for its activities. Consequently, we see no necessity, apart from the discussion of the report of the Agency, to have the agenda of the Assembly include additional items referring to matters within the purview of the Agency.

This view of ours is based upon the opinion that the attempt at the artificial creation of duplication will certainly undermine and strike at the very task which the Agency is called upon to fulfil.

The report of the Agency deserves particular consideration, and any matters that are within the purview of the Agency should be settled by the Agency. Otherwise, decisions will be adopted on important matters, the implementation of which will not be possible. Consultations with interested organizations, and more particularly with the Agency, are necessary. But one cannot transmit to those agencies specific instructions or requests without bearing in mind their internal structure. Nor is it possible to propose certain

[4] *Documents on Disarmament, 1968*, pp. 461–465.

operations without due account being taken of the financial implications of such arrangements.

The trend to violate this rather clear rule was, as has been pointed out by our delegation, already reflected in the resolution adopted at the last session of the Assembly. To a certain extent those defects are to be found—and we regret this—in the draft resolution before us. Unfortunately we are unable to agree with such proposals. In view of this, the Soviet delegation is unable to support the draft resolution submitted to the Committee and will abstain during the voting.

I should now like to turn to the position of our delegation on the other draft resolution before us, the draft resolution referring to peaceful nuclear explosions, in document A/C.1/L.502. In connexion with this draft, the Soviet delegation would like to state the following. Last year the General Assembly adopted a resolution pertaining to the establishment within the Agency of a special international service under appropriate international control. That resolution requested the Secretary-General to present a special report on the subject.[5] The Secretary-General has submitted such a report, which indicated that:

". . . the Agency" should "take on the role of the international service for the peaceful uses of nuclear explosions." [6]

Thus the answer to a question raised by a resolution of the General Assembly was given clearly and unequivocally in the report of the Secretary-General of the United Nations.

It is also important that at the annual session of the Agency in September of this year a resolution was unanimously adopted approving the report of the Agency to the United Nations. It stated, *inter alia*, that

"Performance of the functions of the international body referred to in Article V of the non-proliferation Treaty, as well as the international observation called for by that Article, are within the Agency's technical competence and clearly fall within the scope of its statutory functions."

It also stated that

"At this stage the tasks of the Agency in relation to peaceful nuclear explosions can be carried out by the Department of Technical Operations of the secretariat." [7]

That resolution was supported by all the members of the Agency. I would like to stress that point, that all the members of the Agency supported that resolution. Why, therefore, is it necessary to raise this question at this juncture, as proposed in operative paragraph 8 of the draft resolution? The opinions of the Secretary-General and of the Agency correspond. They have been formed as a result of years of consideration of this matter. All States desiring this have sent special letters to the Secretary-General and to the Agency on this matter. Further, a special committee was set up within the Agency and all desirous of doing so could have participated in its work. In other words, the recommendation involved is

[5] *Documents on Disarmament, 1968*, pp. 799–800.
[6] A/7678, p. 6.
[7] *Ibid.*, p. 46.

the result of consultations and participation by all interested States. In view of the recommendation thus submitted by the Agency and the Secretary-General, we do not deem it necessary to resume consideration of this matter at the next session. We believe it has already found its solution.

In view of what I have said, the Soviet delegation is unable to support the draft resolution in document A/C.1/L.502 and will abstain from voting. In doing so, we of course recognize the right of the Assembly to consider the report of the Agency on its work in the field of nuclear explosions for peaceful purposes, and we believe that this can best be done at the time of the consideration of the Agency's annual report to the Assembly.

As to the position of principle of the Soviet Union on peaceful nuclear explosions, we have had occasion to state it many times. We believe that it is specifically the Agency that has been called upon to play the role of an international organ to control such explosions, by article V of the non-proliferation Treaty, and any proposal relating to such arrangements would not meet with any objection on our part.

Statement by the Mexican Representative (Garcia Robles) to the First Committee of the General Assembly: Peaceful Uses of Atomic Energy, December 10, 1969 [1]

I should like to say a few brief words with reference to draft resolutions A/C.1/L.497 [2] and A/C.1/L.502,[3] of both of which the delegation of Mexico is a co-sponsor.

With regard to draft resolution A/C.1/L.497, I should like to say that we fully share the appreciation expressed in the preambular part to the International Atomic Energy Agency for the activities which, as there stated, it has initiated or has underway for the purpose of implementing resolutions adopted by the Conference of Non-Nuclear-Weapon States.

I believe it appropriate, in this regard, also to make specific mention of the tireless work that the Director-General of the Agency, Dr. Sigvard Eklund, has been carrying on to that end.

I should also like to add that my delegation attaches particular importance to the contents of operative paragraph 3 of the draft resolution, which draws the attention of the international sources of finance to the need for them to adopt criteria and conditions for financing nuclear projects in the future, bearing in mind—and here I quote the words of the draft—"not only the immediate benefits from initial projects but also the long-term contributions that such projects could make to developing countries".

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[1] A/C.1/PV.1718, pp. 32–41.
[2] Pt. A of G.A. resolution 2605 (XXIV), *post*, pp. 723–725.
[3] Pt. B of G.A. resolution 2605 (XXIV), *post*, pp. 725–727.

That is quite in keeping with what my delegation has already stated in the Committee, and particularly in the speech we made on 18 November of this year, when we expressed our conviction that with regard to the peaceful uses of nuclear energy efforts should be made to ensure that this energy will be utilized to reduce the economic and social abyss separating those people which, figuratively speaking, are termed the peoples of the northern hemisphere from the peoples of the southern hemisphere, and that it will not be erroneously conceived of as service to be given following a strictly commercial criterion.

With regard to draft resolution A/C.1/L.502, as the representative of the United States has already pointed out, thanks to prolonged preparatory work of negotiation in which a number of delegations participated—and many of them last year held divergent views—it has finally been possible to arrive at a text that has earned the approval of all those delegations, a text whose conciliatory nature is proved by the fact that the delegation of the United States, for example, has seen fit to co-sponsor it whilst nevertheless maintaining in certain aspects the views that it adduced last year. The same applies to the delegation of Mexico, and Mexico, too, is a co-sponsor of this draft resolution. But this must not be taken as implying that we have yielded the position which we have constantly held on the fundamental issues.

Incidentally, I would say that to deal with this matter there were what I would term two main alternatives: the one which ultimately culminated in this draft resolution jointly submitted, and the other, which was followed last year; namely two groups of States Members of the United Nations working along parallel though separate lines and endeavouring to ensure that their point of view would prevail.

For example, the representative of the Soviet Union said a few moments ago that the Secretary-General, in fulfilment of the resolution adopted last year, had already prepared a report that has been submitted to us. That is a fact and that report will be found in document A/7687. But I would take the liberty, with regard to this matter, of reminding the members of the Committee that in the statement I made on 18 November, to which I referred a few moments ago, I mentioned the fact that slightly more than one-third of the members consulted had replied to the circular of the Secretary-General. Furthermore, I pointed out that a major portion of the replies received were limited to expressing approval or support of the idea of there being set up an international service of this nature, that the majority of the others did not give a reply on what, in our opinion, should be termed the fundamental and basic aspect of the whole question.

I also said that to overcome that difficulty it might be helpful if we asked the Secretary-General to carry out a new survey—this time not on such a wide subject as the first, but narrowed down to a series of specific questions that would allow us to elucidate the views of many Governments on basic problems that would have to

be solved so that the service might adequately serve the ends we seek, which are—as the preamble to last year's resolution so cogently stated—to ensure the existence of a multilateral organ, so that:

". . . the potential benefits of any peaceful application of nuclear explosions might be made available, with due consideration for the needs of the developing areas of the world." [4]

Since that alternative failed to gain support among those States whose views last year differed from those of the co-sponsors of the draft resolution which finally became a General Assembly resolution, there was a further alternative. It was, as I said, the alternative that was followed and that finally led to the present draft resolution.

With regard to those points on which there is common understanding, it was decided to include them in a clear-cut and unambiguous way, in the operative parts of the draft resolution. Those aspects will be found in paragraphs 1, 2, 3, 4 and 5.

With regard to the other points, instead of trying to arrive at a single solution that might receive general approval at this session—which seemed to be unfeasible at the time—it was decided to let time do its work, as the wise adage has it, and leave the matter open. We have, therefore, invited the International Atomic Energy Agency, in paragraph 6:

". . . to submit to the Secretary-General, not later than 1 October 1970"—this is in order to give Governments time for study—"a special report on the progress of its further studies and activities in this field"—that is, the field of the draft resolution—"to be considered by the General Assembly at its twenty-fifth session."

We have also stressed in paragraph 7—and this is a matter of specific importance to my delegation—the fact that "the nature and contents of the special international agreement or agreements to be concluded pursuant to the provisions of article V of the Treaty on the Non-Proliferation of Nuclear Weapons [5] will remain open for appropriate consideration and will be the subject of further consultations".

Finally, in paragraph 8 this draft resolution would request the Secretary-General to include in the agenda of the next session of the General Assembly an item with the same title as that which it had last year and which it has in this year's agenda.

It was all those reasons that led my delegation to participate happily in the joint undertakings that have led to the preparation of draft resolution A/C.1/L.502, which in no way, as I have said, modifies the opinion that the Mexican Government transmitted on 28 April 1969 to the Director-General of the International Atomic Energy Agency on this specific question. Nor has it affected the views which the Foreign Office of my country transmitted to the Secretary-General of the United Nations and which can be found on pages 25 to 28 of document A/7678.

We believe that when, next year, this Committee takes up the

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[4] *Documents on Disarmament, 1968*, p. 800.
[5] *Ibid.*, pp. 461–465.

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item mentioned in paragraph 8 we may have more information and more facts that will allow us to arrive at conclusions acceptable to all and with a greater knowledge of the subject regarding what has been done and what is feasible or desirable for the future.

Argentine Working Paper Introduced in the First Committee of the General Assembly: Changes in the Draft Sea-Bed Treaty, December 11, 1969 [1]

Article I

1. The States Parties to this Treaty undertake not to emplant or emplace on the sea-bed and the ocean floor and in the subsoil thereof beyond a sea-bed zone as defined in article II any objects with nuclear weapons or any other types of weapons of mass destruction as well as structures, launching installations or any other facilities specifically designed for storing, testing or using such weapons.

2. The undertakings of paragraph 1 of this article shall also apply to the sea-bed zone referred to in the same paragraph, except that with respect to such area of the sea-bed they shall not apply to the coastal State or to the sea-bed beneath its territorial waters.

3. The States Parties to this Treaty undertake not to assist, encourage or induce any State to commit actions prohibited by this Treaty and not to participate in any other way in such actions.

Article II

For the purpose of this Treaty the outer limit of the sea-bed zone referred to in article I shall be coterminous with the twelve-mile outer limit of the zone referred to in Part II of the Convention on the Territorial Sea and the Contiguous Zone, signed in Geneva on 29 April 1958,[2] and shall be measured in accordance with the provisions of Part I, Section II, of that Convention and in accordance with international law.

Article IV

Nothing in this Treaty shall be interpreted as supporting or prejudicing the position of any State Party with respect to existing international conventions, including the 1958 Convention on the Territorial Sea and the Contiguous Zone, or with respect to rights or claims which such State Party may assert, or with respect to recognition or non-recognition of rights or claims asserted by any other State, related to waters off its coasts; including *inter alia* territorial seas and contiguous zones, or to the sea-bed and the ocean floor, including continental shelves.

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[1] A/C.1/997, Dec. 11, 1969. The draft treaty appears *ante*, pp. 507–509.
[2] 15 UST 1606.

Statement by the Argentine Representative (Ruda) to the First Committee of the General Assembly: Sea-Bed and Ocean Floor, December 11, 1969 [1]

Despite the lateness of the hour, my delegation wishes formally to put before the Committee the working paper that was circulated by the Secretariat in document A/C.1/997, referring to articles I and II of the draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and the subsoil thereof.[2]

This document is the result of intensive consultations, and we believe it reflects the observations voiced in the course of the debate in this Committee, without in any way affecting the purposes and objectives of the treaty.

I shall not go on to explain the differences that exist between those texts we are putting before the Committee and the texts of articles I and II of the draft treaty submitted by the Co-Chairmen of the Conference of the Committee on Disarmament, which appear in annex A of document A/7741.[3]

Paragraph 1 of article I introduces a substantial modification with regard to the Co-Chairmen's original document. In fact, the concept of the super-adjacent waters adopted in that document, whose legal consequences we criticized when we commented on the draft treaty, has now been replaced by another wording which is more in keeping with the true nature and the aims of the instrument, as we see it. The reference to the "maximum contiguous zone" in the definition of the zone to be covered by this instrument has been eliminated, and in its stead we introduce the concept of the sea-bed zone as the logical consequence of the geographical region covered by the draft treaty. The new view, furthermore, is of a technical character which is strictly limited to the draft treaty, without any type of the legal aspect of the law of the sea being able to be excluded from it. This, beyond any doubt, is the best solution to that condition of the non-armament measures which the treaty seeks.

In paragraph 2 of article I, we also make mention of the "sea-bed zone" instead of "contiguous zone". Apart from this change, no other modification has been introduced that might in any way affect the application of this provision as contained in the co-Chairmen's draft.

Paragraph 3 of article I is the same as it appeared in the original draft, since it presents no difficulty to those delegations which have expressed any doubt on the subject dealt with in our working paper.

Article II reflects the substantive change introduced in article I, paragraph 1, on the nature of the zone over which the treaty is to be applied. What the next text seeks is to set the outside limit of the sea-bed zone referred to in article I and is exclusively limited to

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[1] A/C.1/PV. 1722, pp. 87–92.
[2] The Argentine working paper appears *supra*.
[3] *Ante*, pp. 507–509.

quoting various provisions of the 1958 Geneva Convention on the Territorial Sea and the Contiguous Zone [4] and does so in order to define the configuration of the sea-bed and to provide a form of measurement that will allow us to establish the zone of application and, therefore, the geographical surface over which these commitments provided for in the treaty will apply. By this procedure, we believe we shall avoid a very extensive and difficult transcription of the criteria and yardstick to be used in measurement.

In order to ratify and prove the clearly incidental nature of the reference to the Geneva Convention on the Territorial Sea and the Contiguous Zone and thus ensure that the differing positions of States Members will not be affected by such reference, the clause that appears in article II, paragraph 2, of the co-Chairmen's draft is expanded to make it more comprehensive. We believe that this can be obtained by introducing some necessary additions in the present wording and inserting this new norm in a new article, following the substantive provisions of the treaty, as article IV.

With regard to the additions contained in this new article, I should like to point out that they, too, meet the principle that a non-armament measure should not adopt criteria or formulas that might produce juridical consequences on subjects touching upon the law of the sea. It is for this reason that the first part of the text adds the phrase "with regard to existing international conventions"—in the plural—"including the 1958 Convention on the Territorial Sea and the Contiguous Zone". As I have pointed out previously, this express reference to the Geneva Convention is intended to reiterate that principle with respect to the only convention that is mentioned by name in the draft treaty, and does so only to determine the limit of the sea-bed zone mentioned in Article I. Also, in order to avoid any erroneous interpretation regarding the strictly non-armament nature of the treaty, we have included the phrases: "including, *inter alia*, territorial seas and contiguous zones" and "including continental shelves".

We believe that, with the additions I have mentioned and the change in the location of this sentence, we shall ratify the sense when we introduce amendments in articles I and II of the draft treaty and, in more general terms, we shall avoid prejudging for or against the position of any State Member on the entire question of the law of the sea.

When formally submitting the working paper contained in document A/C.1/997, to this Committee, my delegation is convinced that it represents an adequate solution to the legal difficulties to which the original draft treaty submitted by the Co-Chairmen of the Conference of the Committee on Disarmament gave rise and, at the same time, does not in any way disturb the very delicate political balance achieved in the negotiations that culminated in the preparation of the draft treaty which is before the Committee.

For all these reasons, my delegation hopes that our working paper will be given an affirmative response, not only by the co-

[4] 15 UST 1606.

sponsors of the draft, but by the other States Members of the United Nations as well.

I wish to thank you, Mr. Chairman, for having allowed me to submit this working paper to the Committee at this very late hour.

Statement by the United States Representative (Leonard) to the First Committee of the General Assembly: Sea-Bed and Ocean Floor, December 11, 1969 [1]

I should like to take this opportunity, as we approach the close of our discussion, to introduce the draft resolution contained in document A/C.1/L.512, which at the last count was being co-sponsored by some thirty-four delegations.

In its operative paragraphs, this draft resolution:

> *Welcomes* the submission to this Assembly of the 'Draft Treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and the subsoil thereof' . . .
>
> *Calls upon* the Conference of the Committee on Disarmament . . . to continue its work on this subject,

taking into account the proposals and suggestions made here.[2]

Our attitude with respect to this prospective treaty has been and continues to be that it should be broadly acceptable and should serve the interests of all members of this Committee. For this reason, we have sought painstakingly to find appropriate ways to accommodate the views expressed by other delegations, first in Geneva at the Conference of the Committee on Disarmament and later in this Committee, with respect to possible amendments to the initial draft text that was agreed upon by the representatives of the Soviet Union and the United States and tabled in Geneva on 7 October.[3] As will be recalled, certain amendments proposed by members of the Conference of the Committee on Disarmament were incorporated on 30 October in the text which appears as annex A of that Committee's report.[4] Other amendments have been put forward in working papers, which have been circulated and commented on here in the First Committee, most recently just now by the representative of Argentina. These suggestions and amendments are being given careful attention by my Government and will be important elements in our deliberations when we resume work in Geneva.

Since the genesis of the idea of banning the arms race from the sea-bed, there has been no question but that a treaty to promote that objective should and would also promote the common interest of mankind in the progress of the exploration and use of the sea-

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[1] A/C.1/PV.1722, pp. 93–97.
[2] Substantially identical with pt. F of G.A. resolution 2602 (XXIV), *post*, p. 715.
[3] *Ante*, pp. 473–475.
[4] *Ante*, pp. 507–509.

bed and ocean floor for peaceful purposes. In this regard, we have viewed the work of the Committee on Disarmament as a necessary complement to the important work of the sea-bed Committee, which was established through resolution 2467 (XXIII) of 21 December 1968.[5] During the past year, while in New York, the sea-bed Committee pursued its twin goals of establishing a set of legal principles governing the exploration and exploitation of the sea-bed beyond the limits of national jurisdiction and creating the framework of an eventual international régime for this area, the Committee on Disarmament pressed forward with the elaboration of the draft treaty which has been discussed in this Committee.

Considerable work has gone into this draft treaty, and we particularly appreciate the constructive spirit and helpful suggestions of members of the Conference of the Committee on Disarmament during the most intense phase of the negotiations in Geneva in October. The product of these labours was the revised draft of 30 October. This work over the past year in Geneva also provided the basis for the wide-ranging discussion and careful scrutiny of the draft that has taken place in the course of our consideration of disarmament questions here during the past month. The records of these discussions will, we are confident, enable us, on our return to Geneva, to develop a treaty text that will be warmly welcomed by the members of the First Committee when it next considers the matter.

Let me briefly reiterate what, in our view, the purpose of this treaty should be. By preventing a nuclear arms race on the sea-bed, it will serve the universal aims of maintaining world peace, reducing international tensions, and strengthening friendly relations among States. Moreover, the treaty will represent an important step towards the exclusion of the sea-bed from the arms race. In the wider context of disarmament, we recognize that the draft sea-bed treaty represents a limited step, but one that is eminently worthwhile. I need hardly recall to the members of the Committee the note struck by Ambassador Yost here on 17 November, when he observed that it is already feasible to emplace nuclear weapons on the sea-bed, an action which, in the absence of an effective treaty prohibition, might have certain military advantages.[6] The conclusion of a treaty would not only forestall this danger, but would also contribute greatly to ensuring that the vast potential of the sea-bed will remain available for peaceful economic exploitation for the benefit of all mankind.

Our delegation has listened with care—which, as we indicated at the outset, was our intention—to the comments, the proposals and the suggestions made here. We are prepared to undertake such changes as seem to be called for, in order to meet the legitimate concerns of the international community. We shall return to the task in Geneva with this mission in mind, and we shall strive to produce the best possible text, taking full account of the comments which have been made here.

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[5] *Documents on Disarmament, 1968*, pp. 802–808.
[6] *Ante*, pp. 537–546.

Statement by the Soviet Representative (Roshchin) to the First Committee of the General Assembly: Sea-Bed and Ocean Floor, December 11, 1969 [1]

The Soviet delegation would like to make a brief statement in connexion with the consideration in the First Committee of the item on a draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and the subsoil thereof, as well as in connexion with the draft resolution now submitted to the First Committee in the name of thirty-four delegations.[2]

The position of the Soviet Union on this question is well known. It has many times been set out in the Committee on Disarmament and in our statements here in the First Committee on 17 November this year.[3] We are glad to note the great interest in the draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and ocean floor and the subsoil thereof.[4] We consider that the conclusion of such a treaty would certainly have a great constructive influence. It would prevent the use of the sea-bed for emplacement of weapons of mass destruction. It would show that States are able to decide together questions relating to the curtailment of the arms race. Undoubtedly, the conclusion of such an agreement would also be conducive to an easing of international tension.

The fact that both the idea of concluding such a treaty and the main content of that draft treaty were welcomed by delegations of Member States, makes it possible to hope that there will be speedy progress towards the conclusion of such a treaty.

The Soviet delegation expresses its gratitude to representatives of States which have taken part in the very exhaustive and useful debate held in the First Committee on this matter. We also express our gratitude to delegations which took part in the elaboration of the draft resolution which is now under consideration. We consider that consideration in the General Assembly of this question will serve the interests of all countries and that it will facilitate the solution of the task of excluding the sea-bed and ocean floor from the sphere of the arms race. We consider that the remarks made by many delegations on the draft treaty were most constructive and useful. They will help us to carry out successfully our work on the text of the draft treaty. We think that it is an extremely urgent matter and we hope that the Conference of the Committee on Disarmament will deal with it at its next session so that the elaboration of the text of the draft treaty could be concluded speedily and the draft treaty be presented to the General Assembly which would allow the treaty prohibiting the emplacement of nuclear weapons and weapons of mass destruction on the

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[1] A/C.1/PV.1722, pp. 101–102.
[2] Substantially identical with pt. F of G.A. resolution 2602 (XXIV), *post*, p. 715.
[3] *Ante*, pp. 546–556.
[4] *Ante*, pp. 507–509.

sea-bed and ocean floor to be concluded and thus be added to the international instruments relating to disarmament.

That is why thirty-four delegations submitted the draft resolution on the sea-bed in document A/C.1/L.512. We express the hope that this draft will be widely supported in the Committee.

We refer to the amendment now submitted by the representative of Ceylon; in the name of the delegation of the USSR, we should like to state that we agree to accept that amendment. I am not empowered to speak in the name of all co-sponsors of this draft resolution, since we did not have an opportunity of consulting all of them, but we should like to state that we consulted on the matter with a good number of the co-sponsors and that all delegations consulted by us expressed their agreement to accepting the amendment introduced by the representative of Ceylon.[5]

As to the arguments put forward by the representative of Argentina, I should like to draw his attention, and that of all representatives in the First Committee, to the fact that operative paragraph 2 of resolution A/C.1/L.512 provides that the Conference of the Committee on Disarmament should take into account all proposals and suggestions made at this session of the General Assembly in its work. Thus, we have every reason—on the basis of the draft resolution presented in the First Committee—to assure the representative of Argentina that the ideas put forward in his working document will be taken into account during future work on the draft treaty on the sea-bed, in full consonance with the draft resolution which is now before the Committee.

General Assembly Resolution 2602 (XXIV): Question of General and Complete Disarmament, December 16, 1969 [1]

A[2]

The General Assembly,

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[5] Ceylon, supported by Chile, Kuwait, and Malta, proposed to add the words "as well as the suggestions made during the special session of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction" to the third preambular par. This amendment was accepted by the co-sponsors and incorporated into the resolution approved by the G.A.

[1] A/RES/2602 (XXIV), Jan. 21, 1970. The votes on the several parts of the resolution are indicated below.

[2] Pt. A was adopted in the plenary G.A. by a vote of 82 to 0, with 37 abstentions. The First Committee vote (Dec. 9) was 67 to 0, with 40 abstentions:

For—Afghanistan, Argentina, Bolivia, Brazil, Burma, Burundi, Ceylon, Chad, Chile, Colombia, Costa Rica, Cyprus, Dahomey, Dominican Republic, Ecuador, El Salvador, Ethiopia, Ghana, Guatemala, Guyana, Honduras, India, Indonesia, Iran, Ireland, Israel, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Libya, Malaysia, Maldives, Mali, Mauritania, Mexico, Morocco, Nepal, Nicaragua, Niger, Nigeria, Pakistan, Panama, Peru, Philippines, Romania, Rwanda, Saudi Arabia, Senegal, Singapore, Somalia, Spain, Sudan, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, U.A.R., United Republic of Tanzania, Uruguay, Venezuela, Yugoslavia, Zambia.

Recalling its resolution 2456D (XXIII) of 20 December 1968,[3]

Noting with satisfaction that, on 17 November 1969, the Governments of the Union of Soviet Socialist Republics and the United States of America initiated bilateral negotiations on the limitation of offensive and defensive strategic nuclear-weapon systems,

Expressing the hope that these negotiations will bring about early and positive results which would pave the way for further efforts in the field of nuclear disarmament,

Convinced of the necessity for creating the most favourable conditions for the achievement of that aim,

Appeals to the Governments of the Union of Soviet Socialist Republics and the United States of America to agree, as an urgent preliminary measure, on a moratorium on further testing and deployment of new offensive and defensive strategic nuclear-weapon systems.

B[4]

The General Assembly,

Recalling its resolution 1660 (XVI) of 28 November 1961 on the question of disarmament,[5]

Recalling further its resolution 1722 (XVI) of 20 December 1961 on the same question by which the General Assembly endorsed the agreement reached on the composition of a Disarmament Committee, the membership of which was as follows: Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, France, India, Italy, Mexico, Nigeria, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland and United States of America,[6]

Bearing in mind that in the debates of the First Committee during the twenty-third session, attention was drawn to the convenience of enlarging the composition of the Eighteen-Nation Committee on Disarmament in order to make it more representative of the international community,

Noting that the representatives of the Union of Soviet Socialist Republics and the United States of America have reached agreement on the inclusion of eight additional members, who have already been participating in the deliberations of the Committee,[7]

Against—None.

Abstaining—Algeria, Australia, Austria, Belgium, Bulgaria, Byelorussian S.S.R., Cameroon, Canada, Central African Republic, China, Congo (Democratic Republic of), Cuba, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Italy, Japan, Laos, Liberia, Madagascar, Malta, Mauritius, Mongolia, Netherlands, New Zealand, Norway, Poland, Portugal, South Africa, Swaziland, Syria, Turkey, Ukrainian S.S.R., U.S.S.R., U.K., U.S.

[3] *Documents on Disarmament, 1968*, pp. 800–801.

[4] Pt. B was approved by a vote of 113 to 0, with 6 abstentions (Algeria, China, Cuba, France, Iraq, Malawi).

[5] *Documents on Disarmament, 1961*, pp. 677–678.

[6] *Ibid.*, pp. 741–742.

[7] Argentina, Hungary, Japan, Mongolia, Morocco, Netherlands, Pakistan, Yugoslavia.

Recognizing that all States have a deep interest in disarmament negotiations,

1. *Endorses* the agreement that has been reached on the title and on the following composition of the "Conference of the Committee on Disarmament": Argentina, Brazil, Bulgaria, Burma, Canada, Czechoslovakia, Ethiopia, France, Hungary, India, Italy, Japan, Mexico, Mongolia, Morocco, Netherlands, Nigeria, Pakistan, Poland, Romania, Sweden, Union of Soviet Socialist Republics, United Arab Republic, United Kingdom of Great Britain and Northern Ireland, United States of America and Yugoslavia;

2. *Welcomes* the eight new members of the Conference of the Committee on Disarmament;

3. *Expresses its conviction* that to effect any change in the composition of the Conference of the Committee on Disarmament specified in paragraph 1 above, the procedure followed at the sixteenth session of the General Assembly should be observed;

4. *Requests* the Secretary-General to continue to render the necessary assistance and provide the necessary services to the Conference of the Committee on Disarmament.

C [8]

The General Assembly,

Noting with grave concern that among the possible effects of radiological warfare could be the destruction of mankind,

Aware that radiological warfare may be conducted both by maximizing the radioactive effects of nuclear explosions and through the use of radioactive agents independently of nuclear explosions,

1. *Invites* the Conference of the Committee on Disarmament to consider, without prejudice to existing priorities, effective methods of control against the use of radiological methods of warfare conducted independently of nuclear explosions;

2. *Recommends* that the Conference of the Committee on Disarmament consider, in the context of nuclear arms control negotiations, the need for effective methods of control of nuclear weapons that maximize radioactive effects;

3. *Requests* the Conference of the Committee on Disarmament to inform the General Assembly at its twenty-fifth session of the results of its consideration of this subject.

D [9]

The General Assembly,

Noting that continued scientific and technological advancement creates new opportunities for the application of science and technology both for peaceful and for military purposes,

Noting the rapid development of laser technology, which is becoming increasingly important in many civilian and military fields,

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[8] Pt. C was adopted by a vote of 79 to 0, with 37 abstentions. The U.S. abstained.

[9] Pt. D was adopted by a vote of 72 to 0, with 44 abstentions. The U.S. abstained.

Concerned at the possible military applications of laser technology,

Recommends that the Conference of the Committee on Disarmament give consideration, without prejudice to existing priorities, to the implications of the possible military applications of laser technology.

E [10]

The General Assembly,

Reaffirming its resolution 1378 (XIV) of 20 November 1959, in which it considered that the question of general and complete disarmament was the most important one facing the world today,[11]

Reaffirming further the responsibility of the United Nations in the attainment of disarmament,

Recalling its resolution 1722 (XVI) of 20 December 1961, by which it welcomed the joint statement of agreed principles for disarmament negotiations submitted on 20 September 1961 by the Union of Soviet Socialist Republics and the United States of America,[12] and reaffirming the recommendation that further disarmament negotiations be based on those principles,

Recalling its resolution 2454 B (XXIII) of 20 December 1968, whereby it requested the Conference of the Eighteen-Nation Committee on Disarmament to make renewed efforts towards achieving substantial progress in reaching agreement on the question of general and complete disarmament under effective international control, and to continue its urgent efforts to negotiate collateral measures of disarmament,[13]

Convinced that the process of disarmament would be encouraged and stimulated by the entry into force at the earliest possible stage and the strengthening of multilateral international instruments in the field of disarmament,

Convinced that the participation of all nuclear Powers in the efforts to contain the nuclear arms race and to reduce and eliminate all armaments is indispensable for a full measure of success in these efforts,

Convinced that peace and security in the world, like development, are indivisible, and recognizing the universal responsibilities and obligations in this regard,

Further convinced of the need to pursue negotiations in good faith on effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament, and on a treaty on general and complete disarmament under strict and effective international control,

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[10] Pt. E was adopted by a vote of 104 to 0, with 13 abstentions (Bulgaria, Byelorussian S.S.R., Cuba, Czechoslovakia, El Salvador, France, Hungary, Malawi, Mongolia, Poland, Syria, Ukrainian S.S.R., U.S.S.R.).

[11] *Documents on Disarmament, 1945–1959*, vol. II, p. 1545.

[12] The G.A. resolution may be found *ibid.*, *1961*, pp. 741–742. For the Joint Statement, see *ibid.*, pp. 439–442.

[13] *Ibid.*, *1968*, pp. 795–796.

Having received the report of the Conference of the Committee on Disarmament,[14]

Bearing in mind the grave dangers involved in the development of new nuclear weapons through a spiralling nuclear arms race,

Believing that the diversion of enormous resources and energy, human and material, from peaceful economic and social pursuits to an unproductive and wasteful arms race, particularly in the nuclear field, places a great burden on both the developing and the developed countries,

Believing that the security and the economic and social well-being of all countries would be enhanced as progress is made towards the goal of general and complete disarmament,

Reaffirming its resolution 2499 A (XXIV) of 31 October 1969, and in particular paragraph 9, in which the General Assembly endorsed the call of the Secretary-General for the proclamation of a Disarmament Decade, and paragraph 17, in which the Assembly appealed to all Member States to consider the possibility of signing or ratifying the multilateral international instruments in the field of disarmament,[15]

1. *Declares* the decade of the 1970s as a Disarmament Decade;

2. *Calls upon* Governments to intensify without delay their concerted and concentrated efforts for effective measures relating to the cessation of the nuclear arms race at an early date and to nuclear disarmament and the elimination of other weapons of mass destruction, and for a treaty on general and complete disarmament under strict and effective international control;

3. *Requests* the Conference of the Committee on Disarmament to resume its work as early as possible, bearing in mind that the ultimate goal is general and complete disarmament;

4. *Further requests* the Conference of the Committee on Disarmament, while continuing intensive negotiations with a view to reaching the widest possible agreement on collateral measures, to work out at the same time a comprehensive programme, dealing with all aspects of the problem of the cessation of the arms race and general and complete disarmament under effective international control, which would provide the Conference with a guideline to chart the course of its further work and its negotiations, and to report thereon to the General Assembly at its twenty-fifth session;

5. *Decides* to this effect to draw the attention of the Conference of the Committee on Disarmament to all pertinent proposals and suggestions formulated during the debates on disarmament, referring to the Conference all documents and records of the meetings of the First Committee relating to the items on disarmament;

6. *Recommends further* that consideration be given to channelling a substantial part of the resources freed by measures in the field of disarmament to promote the economic development of developing countries and, in particular, their scientific and technological progress;

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[14] *Ante*, pp. 517–526.

[15] Not printed here.

7. *Requests* the Secretary-General and Governments to publicize the Disarmament Decade by all appropriate means at their disposal in order to acquaint public opinion with its purposes and objectives and with the negotiations and developments related thereto;

8. *Requests* the Secretary-General to provide all appropriate facilities and assistance with a view to furthering the fullest implementation of the present resolution.

F [16]

The General Assembly,

Recognizing the common interest of mankind in the reservation of the sea-bed and the ocean floor exclusively for peaceful purposes,

Having considered the report of the Conference of the Committee on Disarmament [17] and noting with appreciation the work of that Committee in the elaboration of a draft treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof,

Noting the suggestions and proposals relating to the draft Treaty annexed to the report of the Conference of the Committee on Disarmament, which were made during the course of the discussion of this matter in the First Committee, as well as the suggestions made during the special session of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction,

Considering that the prevention of a nuclear arms race on the sea-bed and the ocean floor serves the interests of maintaining world peace, reducing international tensions and strengthening friendly relations among States,

Convinced that the conclusion of a treaty on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof would constitute a step towards the exclusion of the sea-bed, the ocean floor and the subsoil thereof from the arms race,

1. *Welcomes* the submission to the General Assembly at its present session of the draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-Bed and the Ocean Floor and in the Subsoil Thereof, annexed to the report of the Conference of the Committee on Disarmament,[18] and the various proposals and suggestions made in regard to the draft Treaty;

2. *Calls upon* the Conference of the Committee on Disarmament to take into account all the proposals and suggestions that have been made at the present session of the General Assembly and to continue its work on this subject so that the text of a draft treaty can be submitted to the General Assembly for its consideration.

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[16] Pt. F was adopted by a vote of 116 to 0, with 4 abstentions (Cuba, France, Guinea, Malawi).

[17] *Ante*, pp. 517–526.

[18] *Ante*, pp. 507–509.

General Assembly Resolution 2603 (XXIV): Question of Chemical and Bacteriological (Biological) Weapons, December 16, 1969 [1]

A

The General Assembly,

Considering that chemical and biological methods of warfare have always been viewed with horror and been justly condemned by the international community,

Considering that these methods of warfare are inherently reprehensible because their effects are often uncontrollable and unpredictable and may be injurious without distinction to combatants and non-combatants, and because any use would entail a serious risk of escalation,

Recalling that successive international instruments have prohibited or sought to prevent the use of such methods of warfare,

Noting specifically in this regard that:

(*a*) The majority of States then in existence adhered to the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,[2]

(*b*) Since then, further States have become Parties to that Protocol,

(*c*) Still other States have declared that they will abide by its principles and objectives,

(*d*) These principles and objectives have commanded broad respect in the practice of States,

(*e*) The General Assembly, without any dissenting vote, has called for the strict observance by all States of the principles and objectives of the Geneva Protocol,[3]

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[1] A/RES/2603 (XXIV), Jan. 21, 1970. Pt. A of the resolution was adopted by a vote of 80 to 3, with 36 abstentions:

For—Afghanistan, Algeria, Argentina, Brazil, Bulgaria, Burma, Burundi, Byelorussian S.S.R., Cameroon, Central African Republic, Ceylon, Chad, Colombia, Congo (Brazzaville), Congo (Democratic Republic), Costa Rica, Cuba, Cyprus, Czechoslovakia, Dahomey, Dominican Republic, Ecuador, Equatorial Guinea, Ethiopia, Finland, Gabon, Ghana, Guatemala, Guinea, Guyana, Haiti, Honduras, Hungary, India, Indonesia, Iran, Iraq, Ireland, Ivory Coast, Jamaica, Jordan, Kenya, Kuwait, Lebanon, Lesotho, Libya, Maldives, Mali, Mauritania, Mauritius, Mexico, Mongolia, Morocco, Nepal, Niger, Nigeria, Pakistan, Panama, Peru, Poland, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Southern Yemen, Spain, Sudan, Sweden, Syria, Togo, Trinidad and Tobago, Uganda, Ukrainian S.S.R., U.S.S.R., U.A.R., United Republic of Tanzania, Upper Volta, Yemen, Yugoslavia.

Against—Australia, Portugal, U.S.

Abstaining—Austria, Belgium, Bolivia, Canada, Chile, China, Denmark, El Salvador, France, Greece, Iceland, Israel, Italy, Japan, Laos, Liberia, Luxembourg, Madagascar, Malawi, Malaysia, Netherlands, New Zealand, Nicaragua, Norway, Paraguay, Philippines, Sierra Leone, Singapore, South Africa, Swaziland, Thailand, Tunisia, Turkey, U.K., Uruguay, Venezuela.

Pt. B was approved 120 to 0, with one abstention.

[2] *Post*, pp. 764–765.

[3] *Documents on Disarmament, 1966*, pp. 798–799.

Recognizing therefore, in the light of all the above circumstances, that the Geneva Protocol embodies the generally recognized rules of international law prohibiting the use in international armed conflicts of all biological and chemical methods of warfare, regardless of any technical developments,

Mindful of the report of the Secretary-General, prepared with the assistance of the Group of Consultant Experts, appointed by him under General Assembly resolution 2454 A (XXIII) of 20 December 1968,[4] and entitled *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use*,[5]

Considering that this report and the foreword to it by the Secretary-General add further urgency for an affirmation of these rules and for dispelling, for the future, any uncertainty as to their scope and, by such affirmation, to assure the effectiveness of the rules and to enable all States to demonstrate their determination to comply with them,

Declares as contrary to the generally recognized rules of international law, as embodied in the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925, the use in international armed conflict of:

(*a*) Any chemical agents of warfare—chemical substances, whether gaseous, liquid or solid—which might be employed because of their direct toxic effects on man, animals or plants;

(*b*) Any biological agents of warfare—living organisms, whatever their nature, or infective material derived from them—which are intended to cause disease or death in man, animals or plants, and which depend for their effects on their ability to multiply in the person, animal or plant attacked.

B

The General Assembly,

Recalling its resolution 2454 A (XXIII) of 20 December 1968,

Having considered the report of the Secretary-General, entitled *Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use*,

Noting the conclusions of the report of the Secretary-General and the recommendations contained in the foreword to the report,

Noting also the discussion of the report of the Secretary-General at the Conference of the Committee on Disarmament and during the twenty-fourth session of the General Assembly,

Mindful of the conclusion of the report that the prospects for general and complete disarmament under effective international control and hence for peace throughout the world would brighten significantly if the development, production and stockpiling of chemical and bacteriological (biological) agents intended for purposes of war were to end and if they were eliminated from all military arsenals,

Recognizing the importance of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases,

[4] *Ibid., 1968*, pp. 793–795.
[5] *Ante*, pp. 264–298.

and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925,

Conscious of the need to maintain inviolate the Geneva Protocol and to ensure its universal applicability,

Emphasizing the urgency of the need for achieving the earliest elimination of chemical and bacteriological (biological) weapons,

I

1. *Reaffirms* its resolution 2162 B (XXI) of 5 December 1966 [6] and calls anew for strict observance by all States of the principles and objectives of the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva on 17 June 1925;

2. *Invites* all States which have not yet done so to accede to or ratify the Geneva Protocol in the course of 1970 in commemoration of the forty-fifth anniversary of its signing and the twenty-fifth anniversary of the United Nations;

II

1. *Welcomes* the report of the Secretary-General as an authoritative statement on chemical and bacteriological (biological) weapons and the effects of their possible use, and expresses its appreciation to the Secretary-General and to the consultant experts who assisted him;

2. *Requests* the Secretary-General to publicize the report in as many languages as is considered desirable and practicable, making use of the facilities of the United Nations Office of Public Information;

3. *Recommends* to all Governments the wide distribution of the report so as to acquaint public opinion with its contents, and invites the specialized agencies, intergovernmental organizations and national and international non-governmental organizations to use their facilities to make the report widely known;

4. *Recommends* the report of the Secretary-General to the Conference of the Committee on Disarmament as a basis for its further consideration of the elimination of chemical and bacteriological (biological) weapons;

III

1. *Takes note* of the draft Convention on the Prohibition of the Development, Production and Stockpiling of Chemical and Bacteriological (Biological) Weapons and on the Destruction of such Weapons submitted to the General Assembly by the delegations of Bulgaria, the Byelorussian Soviet Socialist Republic, Czechoslovakia, Hungary, Mongolia, Poland, Romania, the Ukrainian Soviet Socialist Republic and the Union of Soviet Socialist Republics [7] and of the draft Convention for the Prohibition of Biological Methods of Warfare submitted to the Conference of the Committee

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[6] *Documents on Disarmament, 1966*, pp. 798–799.

[7] *Ante*, pp. 455–457.

on Disarmament by the United Kingdom of Great Britain and Northern Ireland,[8] as well as other proposals;

2. *Requests* the Conference of the Committee on Disarmament to give urgent consideration to reaching agreement on the prohibitions and other measures referred to in the draft conventions mentioned in paragraph 1 above and other relevant proposals;

3. *Requests* the Conference of the Committee on Disarmament to submit a report on progress on all aspects of the problem of the elimination of chemical and bacteriological (biological) weapons to the General Assembly at its twenty-fifth session;

4. *Requests* the Secretary-General to transmit to the Conference of the Committee on Disarmament all documents and records of the First Committee relating to questions connected with the problem of chemical and bacteriological (biological) weapons.

General Assembly Resolution 2604 (XXIV): Urgent Need for Suspension of Nuclear and Thermonuclear Tests, December 16, 1969 [1]

A

The General Assembly,

Recognizing the urgent need for the suspension of nuclear and thermonuclear weapon tests,

Recalling its resolutions 2163 (XXI) of 5 December 1966,[2] 2343 (XXII) of 19 December 1967 [3] and 2455 (XXIII) of 20 December 1968,[4]

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[8] *Ante*, pp. 431–433.

[1] A/RES/2604 (XXIV), Jan. 22, 1970. Pt. A was approved by the First Committee on Dec. 4, 1969, by a vote of 78 to 8, with 9 abstentions:

For—Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Burma, Burundi, Cameroon, Canada, Central African Republic, Ceylon, Chile, China, Colombia, Congo (Democratic Republic of), Costa Rica, Cyprus, Denmark, Dominican Republic, El Salvador, Ethiopia, Finland, Ghana, Greece, Guatemala, Guyana, Haiti, India, Indonesia, Iran, Ireland, Israel, Italy, Ivory Coast, Jamaica, Japan, Kenya, Laos, Lebanon, Liberia, Libya, Luxembourg, Madagascar, Maldives, Mali, Malta, Mauritius, Mexico, Morocco, Nepal, Netherlands, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Rwanda, Saudi Arabia, Sierra Leone, Singapore, South Africa, Spain, Sweden, Trinidad and Tobago, Tunisia, Turkey, Uganda, U.A.R., U.K., United Republic of Tanzania, U.S., Venezuela, Yugoslavia, Zambia.

Against—Bulgaria, Byelorussian S.S.R., Czechoslovakia, Hungary, Mongolia, Poland, Ukrainian S.S.R., U.S.S.R.

Abstaining—Algeria, Cuba, France, Iraq, Jordan, Romania, Senegal, Sudan, Syria.

The plenary G.A. adopted pt. A without a roll-call, by a vote of 99 to 7, with 13 abstentions.

Pt. B was approved by the First Committee on Dec. 4 by a vote of 94 to 0, with 3 abstentions (Cuba, France, Saudi Arabia). The plenary G.A. adopted pt. B without a roll-call, by a vote of 114 to 1, with 4 abstentions.

[2] *Documents on Disarmament, 1966*, pp. 802–803.

[3] *Ibid., 1967*, p. 731.

[4] *Ibid., 1968*, pp. 796–797.

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Recalling further that the above-mentioned resolutions expressed the hope that States would contribute to an effective international exchange of seismic data,

Having considered the report of 3 November 1969 submitted by the Conference of the Committee on Disarmament,[5] and in particular those portions of it concerned with facilitating the achievement of a comprehensive test ban through the international exchange of seismic data, as well as other relevant proposals made in the Conference,

Noting the joint memoranda on a comprehensive test ban treaty submitted on 15 September 1965,[6] 17 August 1966[7] and 26 August 1968[8] by Brazil, Burma, Ethiopia, India, Mexico, Nigeria, Sweden and the United Arab Republic, which have been annexed to reports of the Conference of the Eighteen-Nation Committee on Disarmament, and all of which have suggested that the improvement of the international exchange of seismic data would facilitate the solution of the problem of verifying a comprehensive test ban,

Having studied the proposal submitted to the Conference of the Committee on Disarmament concerning the provision of information by Governments in connexion with the creation of a world-wide exchange of seismological data to facilitate the achievement of a comprehensive test ban,[9]

1. *Requests* the Secretary-General to transmit to the Governments of all States Members of the United Nations or members of any of the specialized agencies or of the International Atomic Energy Agency or parties to the Statute of the International Court of Justice, the request for information annexed to the present resolution;

2. *Invites* those Governments to co-operate with the Secretary-General in providing the information requested as soon as possible before 1 May 1970;

3. *Requests* the Secretary-General to circulate forthwith, upon receipt, all responses to those Governments mentioned in paragraph 1 above and to members of the Conference of the Committee on Disarmament to assist the Conference in its further consideration of the achievement of a comprehensive test ban.

ANNEX

REQUEST FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS TO THE GOVERNMENT OF _____ CONCERNING THE PROVISION OF CERTAIN INFORMATION IN THE CONTEXT OF THE CREATION OF A WORLD-WIDE EXCHANGE OF SEISMOLOGICAL DATA WHICH WOULD FACILITATE THE ACHIEVEMENT OF A COMPREHENSIVE TEST BAN

In order to assist in clarifying what resources would be available for the eventual establishment of an effective world-wide exchange of seismological information which would facilitate the achievement of a comprehensive test ban, the Secretary-General of the

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[5] *Ante*, pp. 517–526.
[6] *Documents on Disarmament, 1965*, pp. 425–426.
[7] *Ibid., 1966*, pp. 574–576.
[8] *Ibid., 1968*, pp. 589–591.
[9] *Ante*, pp. 418–420.

United Nations requests the Government of _____to supply to him, for transmission to the Conference of the Committee on Disarmament, a list of all its seismic stations from which it would be prepared to supply records on the basis of guaranteed availability and to provide certain information about each station as set out below:

A. *Conventional seismograph stations*

1. Name of station and name and address of the operating organization;
2. Co-ordinates of station, including elevation;
3. Instrumentation and components recorded together with speed of recording (this should include operational magnification at 1 second periods for short-period and broad-bank seismographs and at 15 or 20 seconds for long-period instruments. A complete response curve in absolute units should also be provided).

The Government of _____ is also requested to give information on the geological description of the station foundation and indicate if fully annotated records will be provided, including the precision of the time. It would also be useful to know the time window within which the Government of _____ would be prepared to supply original records or good quality copies, and if the latter, the form of the copies (for example, 16, 35 or 70 millimetre film, Xerox copies etc.). It would be useful if it could be indicated whether the intention is to deposit copies of all records in a seismological centre which makes its data available to everyone, or whether the Government of_____ wishes to guarantee the data only on a bilateral demand.

B. *Array stations*

1. Name of station and the name and address of the operating organization;
2. Co-ordinates of station and array points, including elevation;
3. A general account of the instrumentation geometry of the array;
4. Instrumentation and components recorded, including magnetic tape specifications (this should include the operational magnification at 1 second periods for short-period or broad-band instrumentation and at 15 or 20 seconds for long-period instruments. A response curve in absolute units should be provided for each instrument);
5. A list of components which record on a parallel visual basis.

As under part A above, in the interest of obtaining maximum usefulness from an international exchange of data, the Government of _____ is requested to give information on the geological foundation of the array stations, together with complete technical information on the recording medium, the precision of time-keeping, etc. It would also be useful to know the time window within which the Government of_____would be prepared to supply the original records or, as applicable, photographic copy, magnetic tape copy or good quality microfilm. In the event that

the Government of_____does not envisage depositing copies of all array data automatically in a seismological centre which makes its data available to everyone, it would be useful if the Government of_____could indicate how long an original magnetic tape recording could be made available for individual demands before the tapes are erased and re-used.

In view of the urgency in making progress in the direction of a solution for a comprehensive test ban, the Secretary-General would greatly appreciate it if the information requested above could be forwarded to him with the least possible delay for transmission to the Conference of the Committee on Disarmament.

B

The General Assembly,

Having considered the question of the urgent need for suspension of nuclear and thermonuclear tests and the report of the Conference of the Committee on Disarmament,[10]

Recalling its resolutions 1762 (XVII) of 6 November 1962,[11] 1910 (XVIII) of 27 November 1963,[12] 2032 (XX) of 3 December 1965,[13] 2163 (XXI) of 5 December 1966,[14] 2343 (XXII) of 19 December 1967,[15] 2455 (XXIII) of 20 December 1968,[16]

Noting with regret the fact that all States have not yet adhered to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water, signed in Moscow on 5 August 1963,[17]

Noting with increasing concern that nuclear weapon tests in the atmosphere and underground are continuing,

Taking into account that several concrete suggestions have recently been set forth in the Conference of the Committee on Disarmament as to possible provisions for a treaty banning underground nuclear weapon tests,

1. *Urges* all States which have not done so to adhere without further delay to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water;

2. *Calls upon* all nuclear-weapon States to suspend nuclear weapon tests in all environments;

3. *Requests* the Conference of the Committee on Disarmament to continue, as a matter of urgency, its deliberations on a treaty banning underground nuclear weapon tests, taking into account the proposals already made in the Conference as to the contents of such a treaty, as well as the views expressed at the current session of the General Assembly, and to submit a special report to the Assembly on the results of its deliberations.

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[10] *Ante*, pp. 517–526.
[11] *Documents on Disarmament, 1962*, vol. II, pp. 1029–1033.
[12] *Ibid., 1963*, p. 627.
[13] *Ibid., 1965*, pp. 623–624.
[14] *Ibid., 1966*, pp. 802–803.
[15] *Ibid., 1967*, p. 731.
[16] *Ibid., 1968*, pp. 796–797.
[17] *Ibid., 1963*, pp. 291–293.

General Assembly Resolution 2605 (XXIV): Conference of Non-Nuclear-Weapon States, December 16, 1969 [1]

A

The General Assembly,

Recalling its resolution 2456 A (XXIII) of 20 December 1968, in which it invited the specialized agencies, the International Atomic Energy Agency and other international bodies concerned to report to the Secretary-General on the action taken by them in connection with the recommendations contained in the respective resolutions of the Conference of Non-Nuclear-Weapon States,[2]

Recalling also that in the same resolution it requested the Secretary-General to appoint a group of experts to prepare a full report on all possible contributions of nuclear technology to the economic and scientific advancement of the developing countries,

Appreciating the importance of ensuring the implementation of the proposals of the Conference through appropriate action by the international bodies and Governments concerned, in order to promote better international co-operation in the peaceful uses of nuclear energy in the interest of a more harmonized development of relations among the nuclear-weapon and the non-nuclear-weapon States,

Having reviewed the comprehensive report submitted by the Secretary-General [3] on the basis of the reports of the International Atomic Energy Agency [4] and of the specialized agencies concerned on the steps they have taken to implement the results of the Conference,

Noting with appreciation that:

(*a*) The International Atomic Energy Agency has had under way or has initiated several activities that are directly responsive to several resolutions adopted by the Conference,

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[1] A/RES/2605 (XXIV), Jan. 22, 1970, and Corr. 1, Feb. 4, 1970. Pt. A was adopted by a vote of 110 to 0, with 10 abstentions (Bulgaria, Byelorussian S.S.R., Cuba, Czechoslovakia, Hungary, Malawi, Mongolia, Poland, Ukrainian S.S.R., U.S.S.R.). The G.A. approved pt. B by a vote of 80 to 1, with 37 abstentions:

For—Afghanistan, Australia, Austria, Belgium, Bolivia, Burundi, Cameroon, Canada, Central African Republic, Ceylon, Chad, China, Colombia, Congo (Brazzaville), Congo (Democratic Republic of), Costa Rica, Cyprus, Dahomey, Denmark, Dominican Republic, Ecuador, El Salvador, Equatorial Guinea, Finland, France, Gabon, Greece, Guatemala, Guinea, Haiti, Honduras, Iceland, Iran, Ireland, Italy, Ivory Coast, Jamaica, Japan, Laos, Lebanon, Lesotho, Liberia, Madagascar, Malaysia, Maldives, Mali, Malta, Mauritius, Mexico, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Romania, Rwanda, Saudi Arabia, Senegal, Somalia, Sudan, Swaziland, Sweden, Thailand, Togo, Trinidad and Tobago, Tunisia, Turkey, U.K., U.S., Upper Volta, Uruguay, Venezuela, Yugoslavia, Zambia.

Against—Kenya.

Abstaining—Algeria, Argentina, Brazil, Bulgaria, Burma, Byelorussian S.S.R., Chile, Cuba, Czechoslovakia, Ethiopia, Ghana, Guyana, Hungary, India, Indonesia, Iraq, Israel, Jordan, Kuwait, Malawi, Mauritania, Mongolia, Morocco, Paraguay, Poland, Portugal, Sierra Leone, Singapore, South Africa, Southern Yemen, Spain, Syria, Uganda, Ukrainian S.S.R., U.S.S.R., United Republic of Tanzania, Yemen.

[2] *Documents on Disarmament, 1968*, pp. 797–799.

[3] *Ante*, pp. 465–471.

[4] *Ante*, pp. 350–373.

(*b*) The General Conference of the International Atomic Energy Agency, at its thirteenth regular session, commended the intention of the Agency's Board of Governors to continue the study of article VI of the Agency's Statute as an urgent matter and requested the Board to make every effort to present a draft amendment in sufficient time to permit its consideration by the General Conference of the Agency at its fourteenth session,[5]

(*c*) The question of a fund of special fissionable materials was considered by the General Conference at its thirteenth regular session and that some member States of the Agency that produce special fissionable materials indicated their willingness, in principle, to consider making further contributions to the already existing fund when it was necessary,[6]

Noting also the comments received from the International Atomic Energy Agency and the International Bank for Reconstruction and Development, which deal with the question of current arrangements for financing nuclear projects,

Having studied the report of the Secretary-General on the contributions of nuclear technology to the economic and scientific advancement of the developing countries,[7]

Aware of the potential contribution that atomic energy will make in fostering technical and economic progress throughout the world,

Observing that at its thirteenth regular session the General Conference of the International Atomic Energy Agency adopted resolution GC(XIII)/RES/256 on 29 September 1969 in which it requested the Director-General of the Agency to make a comprehensive study of the likely capital and foreign exchange requirements for nuclear projects in developing countries during the next decade, and of ways and means to secure financing for such projects from international and other sources on favourable terms, particularly in the form of grants or long-term loans at low interest, and to make suggestions concerning a constructive role which the Agency could play in this regard,[8]

Mindful of the fact that a meaningful evaluation of projects in this field of atomic energy will depend not only on an assessment of their individual economic merit, but also on the long-term contribution such projects will make in a country's technological and economic development,

1. *Invites* the International Atomic Energy Agency, the United Nations Development Programme, the International Bank for Reconstruction and Development and the interested specialized agencies to take further appropriate action on the recommendations of the Conference of Non-Nuclear-Weapon States in planning and carrying out their activities;

2. *Commends with appreciation* the Secretary-General's report on the contributions of nuclear technology to the economic and scientific advancement of the developing countries;

3. *Draws the attention* of the international sources of finance to

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[5] A/7677/Add. 2, p. 18.
[6] *Ibid.*, pp. 19–22.
[7] A/7568.
[8] A/7677/Add. 2, p. 17.

the recommendation contained in the aforementioned report which expressed the hope that they would review the positions taken on the prospects, criteria and conditions for financing major nuclear installations, bearing in mind not only the immediate benefits from initial projects but also the long-term contributions that such projects could make to developing countries;[9]

4. *Recommends* to the International Atomic Energy Agency, the various international and regional financing institutions, including the United Nations Development Programme and the International Bank for Reconstruction and Development, to co-operate in finding ways and means of financing meritorious nuclear projects, bearing in mind not only the short-range but also the long-range contribution such projects may make to economic and technical development;

5. *Draws the attention* of the member States of the International Atomic Energy Agency to the appeals which have been made by the Director-General of the Agency to increase the funds available to the Agency for multilateral assistance in the nuclear field;

6. *Notes with satisfaction* the action taken so far by the International Atomic Energy Agency regarding the fund of special fissionable materials and requests the Agency to continue its efforts to ensure the supply to member States, when required, and on a regular and long-term basis, of such materials, including materials for power reactors;

7. *Invites* the specialized agencies, the International Atomic Energy Agency and other international bodies concerned to report to the Secretary-General on further action taken by them concerning the recommendations contained in the resolutions of the Conference of Non-Nuclear-Weapon States which were transmitted to them by the Secretary-General in pursuance of General Assembly resolution 2456 A (XXIII);

8. *Requests* the Secretary-General to submit a progress report, based on the information supplied by those concerned, on the progress achieved in the implementation of the said resolutions for consideration by the General Assembly at its twenty-fifth session;

9. *Further requests* the Secretary-General to place on the provisional agenda of the twenty-fifth session of the General Assembly the question of the implementation of the results of the Conference of Non-Nuclear-Weapon States.

B

The General Assembly,

Recalling that by its resolution 2456 C (XXIII) of 20 December 1968 it requested the Secretary-General to prepare in consultation with the States Members of the United Nations and members of the specialized agencies and of the International Atomic Energy Agency, and with the co-operation of the latter and of those specialized agencies that he might consider pertinent, a report on the establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control,[10]

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[9] A/7568, p. 66.

[10] *Documents on Disarmament, 1968*, pp. 799–801.

Having reviewed the report of the Secretary-General on the establishment, within the framework of the International Atomic Energy Agency, of an international service for nuclear explosions for peaceful purposes under appropriate international control, prepared in compliance with the aforementioned resolution,

Noting that over the past year the International Atomic Energy Agency has been studying, with the active participation of many member States, the role that the Agency may play in this field, and that the report of the Board of Governors of the Agency, reproduced in the Secretary-General's report,[11] was endorsed without objection by the General Conference of the International Atomic Energy Agency at its thirteenth regular session,[12]

Noting further that the conclusions of the report of the Board of Governors of the Agency state, *inter alia*, that the Agency's prospective responsibilities in the field of peaceful nuclear explosions fall within its statutory objectives and functions to accelerate and enlarge the contribution of atomic energy to peace, health and prosperity throughout the world,

Aware that the Agency's prospective responsibilities in this field will have to be defined on an evolutionary basis, taking into account the still experimental state of the technology,

Recognizing that the International Atomic Energy Agency has certain programmes under way, such as the convening of expert groups, designed to assure a wider appreciation of the status of this technology, and that certain nuclear-weapon States have furnished the agency with useful information on the status of their experimental programmes in this field,

1. *Expresses its appreciation* of the studies recently made by the Secretary-General and the International Atomic Energy Agency on this subject;

2. *Urges* all States Members of the United Nations to communicate any further views they may have on this subject to the International Atomic Energy Agency so that the Agency may take these comments into account in its further studies;

3. *Invites* the nuclear-weapon States to continue to make available to the International Atomic Energy Agency full and current information concerning the technology of applying nuclear explosions to peaceful uses for the benefit of all its members;

4. *Invites* the International Atomic Energy Agency to keep the development of this technology under continuing review and in particular to take steps to assure the widest exchange of information concerning developments in this field, including the benefits that may be derived from nuclear explosions for peaceful purposes;

5. *Suggests* that the International Atomic Energy Agency continue to give particular attention over the next year to the convening of further technical meetings to discuss the scientific and technical aspects of this technology and that the Agency initiate studies on the character of the international observation in which it might engage

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[11] A/7678.
[12] A/7678/Add. 2, p. 4.

pursuant to article V of the Treaty on the Non-Proliferation of Nuclear Weapons, signed on 1 July 1968.[13]

6. *Invites* the International Atomic Energy Agency to submit to the Secretary-General, not later than 1 October 1970, a special report on the progress of its further studies and activities in this field to be considered by the General Assembly at its twenty-fifth session,

7. *Notes* that the nature and contents of the special international agreement or agreements to be concluded pursuant to the provisions of article V of the Treaty on the Non-Proliferation of Nuclear Weapons, will remain open for appropriate consideration and will be the subject of further consultations;

8. *Requests* the Secretary-General to include in the provisional agenda of the twenty-fifth session of the General Assembly an item entitled "Establishment within the framework of the International Atomic Energy Agency of an international service for nuclear explosions for peaceful purposes under appropriate international control".

Statement by ACDA Director Smith at the Preliminary Strategic Arms Limitation Talks, December 22, 1969 [1]

Mr. Foreign Minister [Ahti Karjalainen, Foreign Minister of Finland], Minister Semenov, ladies and gentlemen: Five weeks ago, in this hall, we began talks between the U.S. and the U.S.S.R. on limiting strategic arms. Today, we are assembled here again, this time to mark the end of the preliminary phase of our work.

During these past 5 weeks, the United States delegation has endeavored to set forth its general views on the various problems involved in our search for a meaningful and mutually acceptable strategic arms limitation agreement. Your delegation, Mr. Minister, has also provided us with some insight into your thinking on those problems. As a result, both of our Governments now have a better understanding of each other's views and I trust will take advantage of that in their preparations for the next phase of our negotiations.

In his message which I read at the opening session of our talks, President Nixon described them as one of the most momentous negotiations ever entrusted to an American delegation.[2] I take sober sattisfaction that our preliminary talks have led to an understanding between our two Governments to resume negotiations on April 16 in Vienna, with the understanding that they will be held again in Helsinki at a later time. The main task is, of course, still ahead of us. But we have made a first step in the right direction, and this in itself is an achievement.

We profoundly hope that in the course of the forthcoming negotiations the United States and the Soviet Union will be able to agree upon limitations on their respective strategic arsenals. Both of our countries, and the world at large, have much to gain from such an

[13] *Documents on Disarmament, 1968*, pp. 461–465.

[1] *Department of State Bulletin*, Jan. 12, 1970, pp. 28–29.

[2] *Ante*, pp. 535–536.

agreement. It is time that the resources and talents of our two countries be devoted more to solving the problems of modern society—many of which are common to all technologically advanced nations.

For me, Mr. Minister, to lead the United States delegation to these talks has been not only an honor but also a pleasure. I have greatly enjoyed meeting you, Mr. Semenov, and the members of your delegation and would like to express appreciation for the businesslike manner in which you participated in our discussions as well as for the personal courtesies you have offered us in the course of our association here.

My delegation, and I personally, have also found our stay in this beautiful city of Helsinki most pleasant and enjoyable. On behalf of the United States delegation, through you, Minister Karjalainen, I want to express our deep gratitude to the Finnish people and their Government for their hospitality and all the great work they did to facilitate the conduct of our talks. As we leave the friendly soil of their neutral country, we extend to the people of Finland our best wishes for happiness and prosperity and for a merry Christmas and a happy new year.

Statement by Deputy Foreign Minister Semyonov at the Preliminary Strategic Arms Limitation Talks, December 22, 1969 [1]

Dear Mr. Karjalainen, dear Mr. Smith, ladies and gentlemen: The delegations of the U.S.S.R. and the U.S.A. have concluded their preliminary discussion of questions connected with curbing the strategic arms race. During the past month an exchange of views was conducted here on various aspects of this problem. A joint communique has been adopted, which will be released for publication.[2]

The Soviet Union consistently and steadfastly favors peaceful coexistence of states, regardless of their social system; peace and security; and general and complete disarmament. It was these lofty principles, too, which guided the Soviet delegation in the course of the talks held here. We were aware of the fact that curbing the strategic arms race would respond to the vital interests of the Soviet and American peoples, of all of the peoples of the world. Proceeding from this premise, we will strive at the forthcoming talks to achieve a mutually acceptable agreement on this problem.

The month we have spent in Helsinki gave us the opportunity to enjoy the hospitality of the Finnish people in full measure. The Government and the public of Finland took a favorable attitude toward the subject of our negotiations and did a great deal to facilitate our work. A good, quiet working atmosphere has been created. On behalf of the U.S.S.R. delegation I express our appreciation to the President and the Government of Finland and also to the municipal authorities and residents of the city of Helsinki in this regard.

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[1] *Department of State Bulletin*, Jan. 12, 1970, p. 29.
[2] *Infra.*

Communique on the Meeting of the Delegations of the United States of America and the Union of Soviet Socialist Republics on Questions of Curbing the Strategic Arms Race, December 22, 1969 [3]

In accordance with the agreement reached between the Governments of the United States of America and the Soviet Union to enter into negotiations on curbing the strategic arms race, the delegations of the USA and the USSR met in Helsinki from November 17 to December 22, 1969, for preliminary discussions of the questions involved.

The U.S. Delegation was headed by the Director of the Arms Control and Disarmament Agency, Gerard Smith. Members of the delegation included Paul Nitze, Llewellyn Thompson, Harold Brown, and Royal Allison.

The USSR Delegation was headed by Deputy Minister of Foreign Affairs of the USSR, V. S. Semenov. Members of the delegation included N. V. Ogarkov, P. S. Pleshakov, A. N. Shchukin, N. N. Alekseev, and G. M. Kornienko.

The delegations were accompanied by advisors and experts.

The preliminary exchange of views which took place concerning the limitations of strategic arms was useful to both sides. As a result of that exchange, each side is able better to understand the views of the other with respect to the problems under consideration. An understanding was reached on the general range of questions which will be the subject of further US–Soviet exchanges.

The two sides express their appreciation to the Government of Finland for creating conditions for holding the negotiations. They are grateful for the traditional Finnish hospitality which was extended to them.

Agreement was reached that negotiations between the US and USSR Delegations will be resumed on April 16, 1970, in Vienna, and that they will be held again in Helsinki at a later time.

News Conference Remarks by Secretary of State Rogers on the Preliminary Strategic Arms Limitation Talks [Extract], December 23, 1969 [1]

. . . . . .

Q. Mr. Secretary, now that the first round of the SALT talks has ended, could you tell us what was achieved and what remained unsolved and especially what is the explanation for the long delay between the first and second round?

A. Well, let me say that we are very encouraged by the results of the preliminary talks in Helsinki.

The talks were held without any polemics at all. There was a frank

[3] *Department of State Bulletin*, Jan. 12, 1970, p. 29.

[1] *Ibid.*, pp. 22–23.

discussion of the security needs of both nations, and there was an active and frank discussion of the areas that might be discussed in the final talks. And it was a very businesslike meeting all the way around. Another thing that was interesting to us, in addition to the atmosphere of the talks themselves, was that there was no effort on the outside to take advantage of the other. There were no planted stories; the rules were followed by both sides, and we are quite encouraged by the results of the talks. Now, I think that I should say, too, that we shouldn't be too encouraged by that because, as I said when I first discussed the SALT talks before their initiation, the fact that these talks have proceeded, we think, in a successful manner, is no guarantee that they will succeed when we get down to substance.[2] And we haven't gotten to the portion yet of tough bargaining.

. . . . . .

News Conference Remarks by ACDA Director Smith and Ambassador Thompson on Strategic Arms Limitation Talks, December 29, 1969 [1]

Mr. Ziegler [*Press Secretary to President Nixon*]: Ambassador Smith, who has just returned from the preliminary negotiations with the Soviet Union on the strategic arms limitations talks, reported to the President this morning on the preliminary talks.

He was accompanied by Ambassador Thompson, Dr. Harold Brown, and Lieutenant General Allison, who are members of the delegation.

As you know, the next phase of the talks begins on April 16. Ambassador Smith is here to discuss the conversations.

Ambassador Smith: Thank you.

Well, as perhaps you know, we spent the better part of 5 weeks in Helsinki going over the ground with the Soviet Union in a preliminary fashion. My judgment is that this was a serious exercise. The Soviets seemed to be interested in a businesslike approach to the problem of getting some control over strategic arms. If we can continue in the same manner after we start in Vienna on the 16th of April, it seems to me that the prospect is a little bit brighter than it has been in the past and we can make some progress.

I wouldn't want to strike an overly optimistic note. This is the most complicated problem I have ever had anything to do with, and we are certainly a long way from home. Let's hope that 1970 can produce a little progress in this field.

I will be very happy to try to respond to any questions you have.

Q. Mr. Ambassador, did you come to any agreement there on an agenda for the substantive talks?

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[2] See *ante*, p. 504.

[1] *Department of State Bulletin*, Jan. 26, 1970, pp. 84–86.

Ambassador Smith: We came to an agreement on what is called a work program, which is a rather open-ended listing of the subjects that both sides think should be considered at Vienna. It is not going to be a formal agenda with priority lists and things of that sort.

Q. What does the United States Government have to do between now and April to prepare? Is this the time when you will actually make some policy decisions on what we can do?

Ambassador Smith: Yes, I would think so. What we will have to do is to take the findings of the Helsinki exercise and factor them into our planning for preparing positions for substance in the Vienna talks. There will be plenty of work to be done between now and April.

Q. Was there any substance at all discussed in Helsinki?

Ambassador Smith: In the sense that we talked about substantive problems, yes. As I said, this was a preliminary going over the course. But I think you can quite fairly say that a number of points of substance were touched upon, yes.

Q. Why do you think the Soviets are so amenable at this time?

Ambassador Smith: I am not sure—you are talking about amenable to what?

Q. Conciliatory in starting off.

Ambassador Smith: I think, just as we have, they have a serious interest in seeing whether or not, by some sort of an arrangement, one can get a limitation on strategic arms competition. This is something that I think they are sensible enough to see could be in their interest as well as in the common interests.

Q. Can you tell us what subjects will be on your work program in Vienna?

Ambassador Smith: The work program as such has not been published. I think anybody who has followed this field can pretty well imagine what is on the list.

Q. For those of us who haven't followed it very carefully, can you tell us? I mean that seriously.

Ambassador Smith: I think since this is a private document it would be better if I didn't speculate about it for you. If you have followed the literature of strategic arms, I think most of the things, if not all, which have been discussed in the strategic arms limitation field will be subject to discussion in Vienna.

Q. What sort of limitation do we want?

Ambassador Smith: Well, I think this will be the outcome of the study we will be doing between now and April 16.

Q. Mr. Ambassador, do we have a specific, ultimate goal in these negotiations?

Ambassador Smith: Specific alternate goal?

Q. Ultimate goal.

Ambassador Smith: I think we would like to see a limitation agreement that was to our interest and to the common interest, yes. I can't at this time, even if I wanted to, give you the specifics of what that agreement might cover. This was one of the purposes of the Helsinki exercise, to see what could be ripe for an agreement. Now we are going to take the findings of the Helsinki exercise and try to factor them into making up a negotiating program for Vienna.

Q. Did you get a feeling as to what might be ripe for ultimate agreement?

Ambassador Smith: I have some personal feelings about that, yes; but there again it seems to me that gets into this ground as to what the American position is likely to be, and I prefer not to speculate about that.

Q. Looking ahead, Mr. Ambassador, do you foresee one agreement or a bunch of piecemeal agreements coming out of these talks?

Ambassador Smith: Well, I would say that I wouldn't rule out either alternative. It seems to me that there is a possibility of having some sort of a first agreement which, if it works out, could lead on to more comprehensive agreements. On the other hand, we don't rule out the possibility of negotiating a comprehensive agreement right at the start.

Q. Mr. Smith, is there an agreed American Government position on the whole range of disarmament at this point, or is this something you are going to develop between now and April 16?

Ambassador Smith: Well, we are just talking here about strategic arms limitations, not the whole field of disarmament.

Q. The strategic arms field is what I mean.

Ambassador Smith: I would say that there is no firm position because we haven't had a chance to digest our findings from the Helsinki exercise, and I hope, and I am quite sure, that there will be a position after that occurs and after we have a couple of months to do our homework here in Washington.

Q. Did you have any conversations in Helsinki with the Soviets about some kind of a preagreement moratorium on such things as MIRV?

Ambassador Smith: Here again, since these were private talks I would prefer not to get into specifics as to what we talked about.

Q. Is that one of the things you will be weighing between now and April as far as the United States Government position?

Ambassador Smith: I would think we will cover the waterfront in what we are analyzing between now and April.

Q. Mr. Ambassador, could we ask Ambassador Thompson, who has had many years of experience with the Soviet Union, a question?

I wonder, Ambassador Thompson, if you can tell us why this time the Soviets seem to be more amenable to serious discussion than they have been in the past?

Ambassador Thompson: I don't know what the answer to that is. This is a serious subject, and I think they are seriously interested, as we are. That is the only thing I can think of. There was very little, as you know, or almost no propaganda involved in it, and we stuck to the subjects we were discussing. But I think it is an indication that they are seriously interested in the agreement as we are.

Q. Mr. Ambassador, do you believe that their difficulties with China presently account for some of their reasonableness or apparent reasonableness now?

Ambassador Thompson: I wouldn't want to speculate about that. I just don't know.

Q. Mr. Smith, do you personally feel that a unilateral halting of testing on the MIRV on the part of the United States would improve the atmosphere of these negotiations in April?

Ambassador Smith: Here again, I think you are asking a question on the specifics as to what the American position will be. I don't think in general unilateral moves are a very sensible way to approach this type of complicated problem. But I would like to reserve judgment on that.

Mr. Ziegler: Thank you gentlemen.

Q. One more question, please. In any sense, did the talks to date rule out any specific weapon system from further discussion?

Ambassador Smith: No.

Mr. Ziegler: Thank you.

The press: Thank you.

Ninth Annual Report of the United States Arms Control and Disarmament Agency, January 20, 1970 [1]

LETTER OF TRANSMITTAL

To the Congress of the United States

It is with a sense of gratification that I transmit to the Congress the Ninth Annual Report of the U.S. Arms Control and Disarmament Agency.

The events of the past year have shown that through negotiation we can move toward the control of armaments in a manner that will

[1] *9th Annual Report to Congress* (ACDA pub. 54, 1970).

bring a greater measure of security than we can obtain from arms alone.

There is reason to be hopeful of the possibility that an understanding can be reached with the Soviet Union which will permit both nations to reduce the burden and danger of competitive development of strategic arms.

The process has begun. The preliminary, exploratory phase of the Strategic Arms Limitation Talks was held in Helsinki in November and December. Ambassador Gerard Smith, the Director of the Arms Control and Disarmament Agency, whom I named to head our delegation to the Talks, reported to me that the exchange of views was serious and augured well for the next phase to begin in Vienna in April.

We have undertaken these negotiations because it is in our interest to do so. We believe the Soviet Union recognizes a similar interest. In addition, continuing technological advances in weapons systems give warning that delay will only complicate the arduous task of achieving agreements.

The other nations of the world are looking to the United States and the Soviet Union to limit and reduce our strategic arsenals. I believe that a verifiable agreement which will limit arms on both sides will in fact enhance mutual security.

The report which I now send to you describes the contribution of the Arms Control and Disarmament Agency to the preparation for and the conduct of negotiations on strategic arms limitation. The report also describes efforts in pursuit of other arms control measures directed to controlling chemical warfare and bacteriological research, to bringing the nonproliferation treaty into effect and to banning nuclear weapons and other weapons of mass destruction from the seabed.

In transmitting this report, I reaffirm my Administration's concern with the substance rather than the rhetoric of arms control. Wherever possible, consistent with our national security, I want our talents, our energies and our wealth to be dedicated, not to destruction, but to improving the quality of life for all our people.

RICHARD NIXON

THE WHITE HOUSE,
February, 1970

LETTER OF SUBMITTAL

January 20, 1970

MR. PRESIDENT:

I submit herewith to you for transmittal to the Congress, as required by the Arms Control and Disarmament Act, the ninth annual report concerning the activities of the U. S. Arms Control and Disarmament Agency.

This report covers the period from January 1, 1969 to the end of the calendar year. The Agency has arranged for it to be printed by the Government Printing Office.

Respectfully,

GERARD SMITH

THE PRESIDENT,

The White House.

INTRODUCTION

President Nixon told the American people in his Inaugural Address, "After a period of confrontation, we are entering an era of negotiation." [2]

The U.S. Arms Control and Disarmament Agency (ACDA), in its activities during 1969, has played its part in seeking to implement this policy by seeking alternatives to arms competition in the pursuit of national security.

The President stated at the time of his appointment of Gerard C. Smith as Director, on January 29, "The tasks of the Arms Control and Disarmament Agency belong to the most important of my Administration. . . . I am directing that the role and status of the Arms Control and Disarmament Agency within the U.S. Government be upgraded. Mr. Smith will have direct and ready access to the Secretary of State and to the President and will participate in all meetings of the National Security Council at which matters within the scope of his mission are considered." [3]

The year 1969 brought progress in a number of areas of endeavor in the arms control field.

The United States and the Soviet Union began the Strategic Arms Limitation Talks (SALT) with a preliminary phase in Helsinki from November 17 to December 22. ACDA's Director Smith was named to lead what President Nixon termed "one of the most momentous negotiations ever entrusted to an American delegation." [4] During this preliminary phase, a work program was drawn up as the basis for the substantive negotiations to follow, and agreement was reached that the talks would resume in Vienna on April 16, 1970.

The Conference of the Committee on Disarmament (CCD) replaced the Eighteen-Nation Committee on Disarmament (ENDC), meeting in Geneva. The membership was expanded to 26 nations in order to make it more representative of the world today while maintaining its effectiveness as a relatively small negotiating body which serves as the world's principal forum for multilateral arms control negotiations. The Agency participated in ENDC and CCD discussions from March 18 to May 22 and from July 3 to October 30. The U.S. delegation was headed at various times by the Director of ACDA, the Deputy Director, and the Assistant Director for International Relations. In addition, the Director and the Assistant Director for International Relations were

[2] *Weekly Compilation of Presidential Documents*, Jan. 27, 1969, p. 152.
[3] *Ibid.*, Feb. 3, 1969, p. 188.
[4] *Ante*, p. 535.

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members of the U.S. delegation to the twenty-fourth U.N. General Assembly, which met from September 16 to December 17.

The United States and the Soviet Union, as Co-Chairmen of the Conference of the Committee on Disarmament, tabled a joint draft treaty banning nuclear weapons and other weapons of mass destruction from the seabed.[5] After some revision in response to the views of other members of the Committee, the treaty draft was annexed to the report of the CCD to the U.N. General Assembly.[6] It was the subject of debate in the General Assembly and was then remanded to the CCD for further consideration.

Substantive discussions took place at the Geneva Conference and in the General Assembly on arms control measures related to chemical and biological weapons. President Nixon gave great impetus to these efforts when on November 25 he announced significant U.S. policy decisions relating to chemical and biological agents and warfare.[7]

Progress was made in Geneva in developing an international exchange of seismic data, which can be useful in the effort to reach an agreement to ban all nuclear weapons tests, including those conducted underground.

The United States and the Soviet Union concurrently signed their instruments of ratification of the Treaty on the Nonproliferation of Nuclear Weapons.[8] A total of 93 nations have now signed the treaty and 25 have deposited their instruments of ratification. The treaty will enter into force when the 3 depositary governments (the United States, the United Kingdom, and the Soviet Union) and 40 other nations have deposited their instruments of ratification. It is anticipated this number will be reached early in 1970.[9]

Before multilateral or bilateral negotiations on an arms control measure are begun, exhaustive work must be done to insure that the security interests of the United States, both immediate and long-range, are fully protected, and that necessary consultations with our allies have been undertaken.

The formulation of U.S. policy on arms control is the result of extensive coordination and consultation within the Government. ACDA has maintained day-to-day contact with the Departments of State and Defense, the Joint Chiefs of Staff, the Central Intelligence Agency, the Atomic Energy Commission, and other executive departments and agencies engaged in national security affairs.

The primary device for the review and coordination of such recommendations is the National Security Council. Upon taking office, President Nixon revitalized the NSC as the organization responsible for consideration of policy issues requiring Presidential determination. The Director of ACDA participated in ten sessions of the NSC on relevant national security questions.

ACDA has planned and managed an integrated research program in support of its recommendations and its conduct of international nego-

[5] *Ante*, pp. 473–475.

[6] The revised joint draft treaty appears *ante*, pp. 507–509. For the CCD report, see *ante*, pp. 517–526.

[7] See *ante*, pp. 592–593.

[8] The treaty may be found in *Documents on Disarmament, 1968*, pp. 461–465. See also *ante*, pp. 576–577.

[9] The treaty entered into force Mar. 5, 1970.

tiations. The research has been carried out by internal staff analysis supported by outside contractors. The field of inquiry ranged from the complex technology of strategic missile systems, to political and social science factors bearing on arms control issues.

This report describes the efforts that have been made in the past year by the U.S. Arms Control and Disarmament Agency toward solving some of the major problems which stand as obstacles to world security.

Strategic Arms Limitation Talks

The preliminary phase of the Strategic Arms Limitation Talks (SALT) was held in Helinski from November 17 to December 22. The communique issued by the American and Soviet delegations at the conclusion characterized the exchange of views as "useful to both sides." The preliminary phase was exploratory in nature—a serious effort by both sides to find common ground toward increasing mutual security through curbs on strategic arms. The communique reported that as a result of the exchange, "each side is able better to understand the views of the other with respect to the problems under consideration. An understanding was reached on the general range of questions which will be the subject of further United States-Soviet exchanges." [10]

The stage was thus set for the main negotiations, which are scheduled to begin in Vienna on April 16, 1970.

In his message to Ambassador Gerard Smith on the occasion of the opening of the talks in Helsinki on November 17, President Nixon said: ". . . for our part we will be guided by the concept of maintaining 'sufficiency' in the forces required to protect ourselves and our allies. I recognize that the leaders of the Soviet Union bear similar defense responsibilities." And he instructed Ambassador Smith and the American delegation to approach the negotiations "recognizing the legitimate security interests on each side." [11]

Secretary of State Rogers said on November 13, "Previous disparity in nuclear strength has been succeeded by the situation of sufficiency . . . and, because this condition will continue for the foreseeable future, the time seems to be propitious for considering how to curb the race in which neither side in all likelihood can gain meaningful advantage." [12]

In recent years it has become increasingly apparent that competitive accumulation of weapons will not guarantee the basic security of either side, because any attempt to seek strategic advantage will be met by countermeasures to preserve a retaliatory capability. This mutual capability for assured destruction, therefore, provides a basis for a mutual limitation of strategic weapons.

"There is one thing stronger than all the armies in the world and that is an idea whose time has come." This quotation—attributed to Victor Hugo—might thus be applied to the agreement finally reached by the United States and the Soviet Union to hold strategic arms limitation talks.

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[10] *Ante*, p. 729.
[11] *Ante*, pp. 535–536.
[12] *Ante*, p. 533.

About a year and a half after the United States called on the Soviet Union to explore the possibility of an agreement, Soviet Foreign Minister Gromyko said in a speech to the Supreme Soviet on June 27, 1968, "One of the unexplored regions of disarmament is the search for an understanding on mutual restriction and subsequent reduction of strategic vehicles for the delivery of nuclear weapons—offensive and defensive—including anti-missile. The Soviet Government is ready for an exchange of opinion on this question." [13]

Unfortunately, the worldwide expectation that at last discussions could begin to find a way out of the nuclear arms competition proved premature. Even as arrangements were being made on a time and place for the talks, Czechoslovakia was invaded by Warsaw Pact troops, and the moment of opportunity dissolved.

When the new U.S. President was sworn in on January 20, the Soviet Foreign Ministry took that occasion once again to express willingness to enter into discussions.[14] President Nixon promptly voiced his support for the strategic talks, while pointing out that their timing and context also were important.[15]

At the same time, President Nixon made it clear that it was the objective of his new Administration to be sure that the United States has sufficient military power to defend its interests and to maintain its commitments around the world. In this connection, he discussed the semantics of the U.S. strategic nuclear posture and observed in the context of today's weaponry "sufficiency" is a more appropriate term than either "superiority" or "parity." [16]

Though the work which had been done by the previous Administration prior to January 1969 was extremely useful, the President asked for a detailed study before engaging in the talks. In addition to an overall review of military requirements, the National Security Council established an interagency steering committee to study the issue of strategic arms control. This committee was headed by ACDA's Director Gerard Smith, and included high-level representatives of the Departments of State and Defense, the Joint Chiefs of Staff, the CIA, the Atomic Energy Commission, and the National Security Council staff. The group was instructed to study the strategic, political, and verification aspects of arms control options. Its task included developing a range of options for limiting strategic arms, and evaluating the implications of each.

The steering committee was supported by a number of panels which worked on detailed technical and strategic analyses of specific aspects of the problem using modern computer techniques where required. Thus the steering committee's report was the result of the efforts of many experts in strategic planning, foreign policy and arms control from all the Federal agencies sharing in the responsibility for national security.

A Verification Panel was also established under the chairmanship of Dr. Henry Kissinger for the purpose of evaluating the many complex verification problems associated with strategic arms control. The Di-

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[13] *Documents on Disarmament, 1968*, p. 452 (variant translation).
[14] See *ante*, pp. 27–31.
[15] *Ante*, pp. 31–33.
[16] *Ibid.*

rector of ACDA; the Under Secretary of State; the Deputy Secretary of Defense; the Attorney General; the Deputy Director of CIA; and the Assistant to the Chairman, the Joint Chiefs of Staff for Strategic Arms Negotiations serve as members.

The primary aims of the preparatory work were to define the effects of specific constraints on specific weapons systems, and the verification measures necessary for each possible agreement in order to insure confidence that national security interests are protected.

On June 19 President Nixon announced at a news conference that the National Security Council was completing the preparations for the strategic talks. Consultation with allied nations was expected to continue through the balance of June and through July. The President said, "We have set July 31 as a target date for the beginning of the talks, and Secretary Rogers has so informed the Soviet Ambassador." [17]

In early July the President announced that the U.S. delegation to SALT would be headed by ACDA Director Smith, with (then) Deputy Assistant Secretary of State Farley as alternate U.S. representative. Ambassador Philip J. Farley was subsequently appointed Deputy Director of ACDA and retains his role as alternate U.S. representative to SALT in that position. In addition to these ACDA officials, the delegation list included: former Deputy Secretary of Defense Paul Nitze; Ambassador Llewellyn Thompson; former Secretary of the Air Force Harold Brown; and Lt. Gen. Royal B. Allison, USAF.[18]

Although Foreign Minister Gromyko had reiterated Soviet interest in SALT in a speech to the Supreme Soviet in July,[19] official word from the Soviets as to a time and place for the talks was not received until late October.

On October 25 the White House announced that the Strategic Arms Limitation Talks would begin in Helsinki on November 17, "for preliminary discussion of the questions involved." [20] A similar announcement was made in Moscow. Secretary Rogers held a news conference later the same day to elaborate on the Government's approach to and expectations for the talks. He explained that they would be preliminary in nature and devoted to exploring what subjects should be covered in the main negotiations to follow. Although predicting that success in the talks could result in improved relations with the Soviet Union which might have a beneficial effect on other problem areas in international relations, the Secretary made clear that no preconditions had been laid down for the conduct of the talks.[21]

The Under Secretaries Committee of the National Security Council was charged with providing continuing guidance for the U.S. negotiating team. This Committee, in turn, established a Backstopping Committee, chaired by the Deputy Director of ACDA, to provide day-to-day support to the delegation in Helsinki.

The bilateral meetings began in an atmosphere characterized as both cordial and serious. The public opening statements made by Ambassador Smith and by Ambassador Vladimir S. Semenov, the head of the

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[17] *Ante*, p. 254.
[18] See *Weekly Compilation of Presidential Documents*, July 14, 1969, pp. 948–949.
[19] *Ante*, p. 315.
[20] *Ante*, p. 499.
[21] See *ante*, pp. 499–507.

Soviet delegation, reflected the businesslike approach of both sides to the task ahead.[22]

The Arms Control and Disarmament Agency's contribution to the preparations for the talks and to the conduct of the discussions themselves was greatly facilitated by the existence of the extensive data base which had been built from its continuing research program. To supplement and support its internal research and analytical capabilities, the Agency has external contracts directed to the technical aspects of the arms control implications of both defensive and offensive strategic weapons. The Agency also draws on the research capabilities of other Government agencies to insure that all pertinent information is brought to bear on SALT considerations. The purpose of this research is to gain detailed understanding of the nature and implications of strategic weapons systems and of methods of verifying compliance with various strategic arms restrictions under consideration.

Potential arms control agreements which limit the deployment and/or testing of strategic weapons systems may necessitate inspection systems capable of detecting a change in the characteristics of launch vehicles, both offensive and defensive, and, in the case of submarine launched ballistic missiles (SLBMs), the submarines used to deploy them. ACDA is currently pursuing research programs to develop inspection systems capable of detecting upgraded offensive missile performance characteristics, the upgrading of ballistic missile submarines, upgrading surface-to-air missiles to give them an ABM capability, and the detection of the presence of nuclear weapons.

A study which will evaluate the capability of manned and unmanned sensors at a missile test range to determine whether or not performance characteristics of offensive strategic missiles have been upgraded is currently in the planning phase.

Research and analysis of the complex factors involved is continuing as the United States prepares for the substantive phase of SALT scheduled to begin April 16. In cooperation with other departments and agencies, ACDA will continue to play a leading role in the conduct of the talks and in the supporting activities necessary to the negotiations.

Nuclear Arms Control Proposals

Comprehensive Test Ban

Since the limited test ban came into force in 1963,[23] the Eighteen-Nation Committee on Disarmament (ENDC) has pursued a comprehensive ban on nuclear weapons tests as a logical and necessary further restriction on nuclear arms. The Committee has as a mandate the U.N. General Assembly resolution adopted in 1963 "to continue with a sense of urgency" negotiations for a treaty suspending nuclear and thermonuclear tests.[24]

The debate during the 1969 sessions of the Geneva Conference showed that the discussions which have taken place in the intervening years in the ENDC, the General Assembly, and international scientific meetings have resulted in an increased appreciation of the necessity

[22] *Ante*, pp. 535–537.
[23] *Documents on Disarmament, 1963*, pp. 291–293.
[24] *Ibid.*, p. 627.

for procedures to insure that a comprehensive ban was being respected.

In his messages to the ENDC in March and in July, President Nixon repeated U.S. support for an adequately verified comprehensive test ban, and called for greater understanding of the verification issue, since differences regarding this question have thwarted achievement of this key arms control measure.[25]

On April 1 the Swedish representative to the Conference introduced a working paper containing a draft treaty banning underground nuclear weapons tests.[26] She cited the 1968 report of the Stockholm International Institute for Peace and Conflict Research (SIPRI) in contending that the existing international seismic network could differentiate between earthquakes and nuclear explosions down to very low yields.[27] The Swedish draft put forth the premise that additional powerful seismic array stations soon to come into service, along with the establishment of a workable seismic data exchange system, would improve control capabilities to the point that on-site inspection would not be necessary.

The U.S. representative, Ambassador Adrian Fisher, responded to the Swedish proposal. The SIPRI report had found, he told the Conference, that a "clear separation between earthquakes and nuclear explosions could not be made by teleseismic means for underground nuclear test explosions up to tens of kilotons of explosive yield." He pointed out that nuclear explosions in this range could have significant military value and could not be ignored in negotiating an acceptable treaty.[28]

The Soviet Union endorsed the proposal for an international exchange of seismic data in the context of a comprehensive test ban but would not accept international inspection on its territory nor permit evaluation of data by an international agency.

As a further and important contribution to the effort to increase understanding of seismic events, Ambassador Fisher submitted a working paper to the ENDC, describing the implementation of the U.S. seismic investigation proposal.[29] This idea was first advanced in the United Nations in December 1968, by Ambassador William C. Foster, who was at that time Director of the Arms Control and Disarmament Agency and a member of the U.S. delegation to the General Assembly.[30] The proposal offered to use nuclear explosions, to be conducted by the United States as a part of its research into peaceful applications of nuclear energy, for the collateral objective of worldwide seismic investigation. The working paper gave a description of the first explosion, code-named Project RULISON, to be used in implementing the U.S. proposal, and furnished technical facts, such as precise site, depth of the explosion, general geology in the vicinity, and other data which would be pertinent to seismic measurements.

Several weeks before the actual detonation, which occurred on September 10, the U.S. Coast and Geodetic Survey alerted seismic stations worldwide. The event proved to be particularly interesting seismically

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[25] *Ante*, pp. 109–110, 300–301.
[26] *Ante*, pp. 140–142.
[27] *Ante*, pp. 143–150.
[28] *Ante*, pp. 162–163.
[29] *Ante*, pp. 246–247.
[30] *Documents on Disarmament, 1968*, pp. 769–770.

and was well recorded. The U.S. Coast and Geodetic Survey, under an agreement with ACDA, is assembling data collected from within and outside the United States and will prepare a report on its computations. The report will include an analysis of the data using seismic identification criteria for distinguishing between explosions and earthquakes. Other interested nations will thus have the opportunity to compare these findings with their own analyses and to discuss both in relevant forums.

ACDA is also making use of the Project RULISON nuclear explosion for continuing its research in several techniques which might be used by on-site inspectors under a comprehensive test ban. A field test is being carried out to measure the surface effects produced by the explosion which might assist on-site inspectors in finding and identifying the site of the explosion. Measurements are also being made, and will continue over the next several months, to determine if any radioactive gases are detectable at the surface. This field test will further investigate the usefulness of radioactive-gas sampling as a technique for on-site inspection.

Cutoff of Fissionable Materials Production

The United States has proposed a verified cutoff of fissionable-materials production for use in weapons, to be accompanied by the transfer of agreed quantities of weapons-stockpile fissionable materials to peaceful purposes. In 1965 this offer was expanded to provide that the materials for transfer be obtained by the demonstrated destruction of "thousands" of nuclear weapons.[31]

In his letter to Ambassador Gerard Smith on the opening of the Geneva Conference, March 18, 1969, President Nixon said that the United States will continue to press for such an agreement.[32]

In April Ambassador Fisher offered a new element in the U.S. proposal: In order to provide for compliance with the agreement, the International Atomic Energy Agency (IAEA) would be asked to safeguard the nuclear material in each nation's peaceful nuclear activities and to verify the continued shutdown of any facilities for production of fissionable material that are closed.[33]

This change was an attempt to solve the verification problems which had previously impeded prospects for agreement. The earlier U.S. proposal had suggested adversary inspection arrangements, which had met with refusal by the Soviet Union. The introduction of the IAEA's safeguards system as the means for insuring against diversion of peaceful nuclear materials to weapons use follows the approach to the verification problem which was adopted in article III of the Nonproliferation Treaty.[34]

Ambassador Fisher emphasized to the Committee two aspects of the cutoff proposal that are particularly relevant to recent arms control developments. First he stressed the value of the cutoff measure as a means of halting the nuclear arms race. Fissionable material is the essential ingredient for a nuclear bomb, and limitation on production

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[31] *Ibid., 1965*, pp. 435, 507–508.
[32] *Ante*, pp. 109–110.
[33] See *ante*, pp. 159–161.
[34] *Documents on Disarmament, 1968*, pp. 461–465.

of fissionable material is one way to prevent the growth of stockpiles of nuclear weapons. American efforts to reach such an agreement go back to 1956, when President Eisenhower first proposed a mutual cutoff [35]—a time when stockpiles of nuclear bombs were much smaller than they are now. The present nuclear confrontation would be at a much lower level had that initial effort been successful.

The second consideration is the importance of this measure as a prudent and necessary step toward establishing an equitable system of safeguards on all production of fissionable materials. Ambassador Fisher told the Committee that the United States believes "the nuclear-weapon Powers should be prepared to accept, in the context of a cutoff agreement, the same safeguards on their fissionable material production facilities as are appropriate to verify nonproliferation in the nonnuclear-weapon States." [36]

The proposal was well received by the nonaligned members and by the United Kingdom, Canada, and Japan. A number of delegates made the point that a cutoff in the production of fissionable materials for weapons purposes by the nuclear powers would balance the restriction accepted by the nonnuclear-weapon nations in signing the Nonproliferation Treaty. The Swedish representative characterized a cutoff agreement, a comprehensive test ban, and the Nonproliferation Treaty as "parts of one and the same parcel, as they would assure qualitative and quantitative freezes on nuclear weapons development." [37]

The Soviet Union again rejected the U.S. cutoff proposal, repeating its claim that the United States was motivated by an "over-production" of nuclear materials for military purposes.[38]

Chemical and Biological Weapons Control

While not a party to the Geneva Protocol of 1925 [39] the United States formally pledged at the U.N. General Assembly in 1966 and 1968 to adhere to its principles and objectives, which prohibit the first use in war of poison gas and biological methods of warfare. This has always been U.S. practice. It was apparent, however, that U.S. policy in this field was not sufficiently defined; and soon after taking office President Nixon directed a broad study within the National Security Council of U.S. policy, programs and operational concepts for chemical and biological warfare and agents.

Participants were the Department of State, the Department of Defense, the Central Intelligence Agency, the Arms Control and Disarmament Agency, and the President's Special Assistant for Science and Technology. The NSC Interdepartmental Political-Military Group was given the responsibility for leadership.

The study covered every aspect of the question. The participants were instructed to delineate the nature of the threat to the United States and its Allies and possible alternative approaches in meeting the threat; to discuss the utility of and circumstances for possible

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[35] *Ibid.*, *1945–1959*, vol. I, pp. 593–595.
[36] *Ante*, p. 161.
[37] *Ante*, p. 219.
[38] *Ante*, pp. 171–172.
[39] *Post*, pp. 764–765.

employment of chemical and biological agents; to define research and development objectives; to review current applications of U.S. policy relating to chemical riot control agents and chemical defoliants; and to assess the implications of chemical warfare and biological research programs for U.S. foreign relations. Task forces were organized to analyze the problem from the standpoint of foreign capabilities, the U.S. chemical warfare and biological research program, and international considerations.

ACDA participated in the task forces chaired by the Departments of State and Defense. ACDA personnel chaired the task force studying arms control considerations, including the question of ratification of the 1925 Geneva Protocol.

The protocol had been drafted in 1925 at the instigation of the United States. Moved by the large scale destructive effects of poison gas used by both sides during World War I, the United States proposed to the Geneva Conference on Traffic in Arms a convention banning the use in war of poison gas and biological methods of warfare. The United States signed the protocol, and it was favorably reported by the Senate Foreign Relations Committee. The protocol was never voted upon by the full Senate and was returned to the Committee in December, 1926. There it lay until 1947 when it was returned to the executive branch as one of a group of treaties and agreements on which action had not been taken for many years. The protocol came into force without the United States becoming a party and now has 84 adherents, including all other NATO countries, the Warsaw Pact nations, and Communist China. Of the major industrial powers, only the United States and Japan have not yet become parties.

In mid-November the interdepartmental review was presented to the the National Security Council. After consideration by the NSC, the President announced his policy decisions on November 25. He reaffirmed our long-standing renunciation of the first use of lethal chemical weapons and extended this renunciation to the first use of incapacitaing chemicals.

With respect to the biological program, his decisions were to renounce any use of lethal or incapacitating biological agents and weapons, and all other methods of biological warfare; to confine biological research to defensive measures such as immunization and safety measures; and to call on the Department of Defense to recommend plans for the disposal of existing stocks of biological weapons. He associated the United States with the principles and objectives of the British draft convention to ban biological warfare which had been presented at the Geneva Conference of the Committee on Disarmament on August 26, 1969.[40]

In consonance with these decisions, the President announced that he would submit the Geneva Protocol to the Senate for its advice and consent to ratification.[41]

It would clearly be in the interest of the United States to have reliable international agreements under which all nations would accept prohibitions on chemical and biological weapons, and it is official

[40] The British proposal appears *ante*, pp. 431–433.
[41] See *ante*, pp. 592–593.

U.S. policy to work toward such agreements. At the opening of the Geneva disarmament talks on March 22 [18], the President instructed the U.S. delegation to "join with other delegations in exploring any proposals or ideas that could contribute to sound and effective arms control relating to these weapons." [42] This position is consistent with the strong sentiments for outlawing chemical and biological warfare which have found expression during the past year in many international forums.

In December 1968 the General Assembly adopted a resolution requesting the U.N. Secretary-General to prepare a report on the effects of the possible use of chemical and bacteriological (biological) means of warfare.[43] The study, prepared with the assistance of experts from 14 countries including the United States, was issued on July 1, 1969. Prominent among the report's conclusions were (1) the effects (on both victim and initiator) of chemical and biological weapons, if used on a large scale in war, were virtually unpredictable; (2) despite cost factors, any country could achieve at least a minimal capability in these fields; and (3) a ban on the development, production, and stockpiling of chemical and biological agents intended for purposes of war would facilitate international efforts toward broader arms control agreements.[44]

The question of chemical and biological weapons was high on the agenda of the Geneva Conference of the Committee on Disarmament during its 1969 sessions.

The CCD's report to the United Nations, prepared at the end of the session which adjourned October 30, noted the wide support for the purposes and principles of the 1925 Geneva Protocol and stated that the Committee would "continue intensive work on the problem of chemical and bacteriological (biological) warfare." [45]

In the General Assembly the principal developments were (1) the introduction of a Soviet draft treaty which would ban all chemical and biological weapons but which did not provide for adequate inspection [46] (2) the adoption of a Swedish resolution (which the United States voted against), whose purpose was to declare as contrary to international law all chemical and biological agents of warfare, including riot control agents and herbicides; [47] and (3) adoption of a Canadian Resolution which called on all nations to accede to the 1925 Geneva Protocol, recommended that the U.N. Secretary-General's report be used as a basis for the CCD's further consideration of the elimination of chemical and biological weapons, and referred the British and Soviet draft conventions to the CCD for further study.[48]

It can be expected, therefore, that when the CCD reconvenes in February 1970, the question of chemical and biological weapons will receive considerable attention.

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[42] *Ante*, p. 110.
[43] *Documents on Disarmament, 1968*, pp. 793–795.
[44] *Ante*, pp. 264–298.
[45] *Ante*, p. 524.
[46] *Ante*, pp. 455–457.
[47] Pt. A of G.A. res. 2603 (XXIV), *ante*, pp. 716–717.
[48] Pt. B of G.A. res. 2603 (XXIV), *ante*, pp. 717–719.

In approaching this problem from an arms control perspective, it is important to recognize that there are basic differences between chemical and biological means of warfare that indicate they should be dealt with separately. These differences relate not only to technical aspects, such as toxicity, speed of action, duration of effects, controllability and residual effects, but also to their different military roles. One of the greatest values of the NSC study was the identification of these differences.

The President has supported the principles of the British initiative on biological weapons, although there are certain aspects of the draft convention which in the course of negotiations we will seek to clarify or further refine.

Limitations on chemical weapons raise more difficult problems. Extensive research has shown that a skillful and determined evader could make it difficult to detect his violations of a ban on production or possession of chemical weapons. Research into sensors and detection techniques is continuing, in coordination with other government agencies, and potentially promising developments are being tested. The current ACDA program will provide more insight into the probabilities of detecting clandestine or undeclared activities.

With the cooperation of the Department of Defense, ACDA is working out plans to investigate the problems of verifying the declared destruction of chemical weapons; these investigations will be conducted in connection with actual destruction and demilitarization operations to be carried out by the Department of Defense.

For chemical and biological weapons, ACDA research has developed a number of indicators for use by inspectors. In December Howard Furnas, Special Assistant to the ACDA Director, told a House Foreign Affairs Subcommittee, "We believe that major progress can be made toward resolving the technical problems involved in verification by direct observation, and we intend to devote greater efforts to this end." [49]

Arms Control Measure for the Seabed

The sea and the ocean floor have been called the world's last frontier for exploration and exploitation. The development of food from the sea offers high promise toward meeting the widespread need for protein (malnutrition afflicts one-half of the world's peoples—over one and a half billion). There are interesting prospects for new discoveries in the field of medicine. By the year 1985, some 25 percent of the worldwide demand for oil and gas is expected to be met by marine sources. Marine mineral deposits include manganese, gold, silver, iron, platinum, titanium, chromium, and tin, to name but a few, and are conservatively valued in the hundreds of billions of dollars.

But together with the promise of great benefits from technological advances in oceanology there are also continuing advances in the technology of weaponry, which could result in the extension of the nuclear arms race to the seabed and ocean floor.

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[49] *Chemical-Biological Warfare: U.S. Policies and International Effects: Hearings Before the Subcommittee on National Security Policy and Scientific Developments of the Committee on Foreign Affairs, House of Representatives, Ninety-first Congress, First Session*, p. 186.

A significant step was taken by the United States and the Soviet Union to rule out this environment to nuclear weapons when they reached agreement on a joint draft treaty "on the prohibition of the emplacement of nuclear weapons and other weapons of mass destruction on the seabed and the ocean floor and in the subsoil thereof." The joint draft was first presented to the Conference of the Committee on Disarmament in Geneva, on October 7, by the two nations as Co-Chairmen of the Committee.[50] The treaty project was the result of intensive negotiations which had their origin in the U.N. General Assembly in 1967.

As interest mounted in the almost unlimited resources of the seabed, it became evident that a legal framework must be established to bring order to their exploitation. Concepts of sovereignty vary widely. Existing international law is ambiguous and lends itself to disparate interpretations by nations.

With these concerns in mind, the General Assembly in December 1967 [51] established an *ad hoc* committee (made a permanent committee a year later)[52] to study the scope and various aspects of the peaceful uses of the seabed and ocean floor beyond the limits of national jurisdiction. Considerable attention was given to the "trends and possibilities regarding the potential future uses of the seabed and ocean floor for military purposes," in the committee's report, which recognized that "efforts should be made to arrest these trends before they were too advanced for effective control." [53]

During the course of the working sessions of the U.N. committee, the U.S. representative proposed that the Geneva Disarmament Conference examine the question whether a viable international agreement might be achieved in which each party would agree not to emplace or fix weapons of mass destruction on the seabed.[54] These discussions would also consider the need for reliable and effective means of verifying compliance with such an agreement.

The question was discussed in a preliminary way during the 1968 summer session of the Eighteen-Nation Committee on Disarmament and was included on its provisional agenda for consideration during the 1969 session.

The Conference reconvened on March 18, 1969. On the opening day, the Soviet Union submitted a Draft Treaty on Prohibition of the Use for Military Purposes of the Sea-Bed and Ocean Floor and the Subsoil Thereof.[55]

After consultations with its Allies, the United States, on May 22, submitted its own Draft Treaty Prohibiting the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Seabed and Ocean Floor.[56]

The initial U.S. and Soviet drafts differed principally in the scope of what was to be prohibited.

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[50] *Ante*, pp. 473–475.
[51] *Documents on Disarmament, 1967*, pp. 727–729.
[52] *Ibid., 1968*, pp. 802 ff.
[53] *Ibid.*, p. 605.
[54] *Ibid.*, p. 452.
[55] *Ante*, pp. 112–113.
[56] *Ante*, pp. 211–213.

The Soviet draft would have banned *all* military uses of the seabed and ocean floor beyond a 12-mile maritime zone. It would have precluded, as an example, bottom mounted submarine surveillance systems which the United States regards as essential to its defense. The United States also objected to such a sweeping prohibition because it would pose insurmountable verification problems. The U.S. draft dealt with the most realistic concern—that the seabed might be used as an area for the emplacement of nuclear weapons and other weapons of mass destruction. Such an agreement would remove the major threat to the peaceful uses of the seabed while, at the same time, reducing the verification problem to manageable proportions.

The Soviet draft provided that all installations and structures on the seabed should be open to inspection for the purposes of verification, a provision qualified only by the requirement of reciprocity. This language was modeled on the provisions in the Outer Space Treaty.[57] But provisions applicable to the moon, where all claims of national jurisdiction are renounced, cannot readily be transplanted to the seabed, where there are many existing claims of national jurisdiction and a multitude of varying types of activity and where the technical problems involved in inspection would be extremely complex.

The U.S. draft suggested simple procedures for verifyng compliance, based on observation of seabed activities. Such procedures would be consistent with existing international law. The United States believed that its provisions for verification were appropriate because the installation of large and complicated devices for launching nuclear weapons would involve extensive activity and would be difficult to conceal. Furthermore, it is highly unlikely that a nation which had decided to violate the treaty would limit itself to the installation of a single weapon. Any violation to be worth the cost would have to occur on a large scale.

The Arms Control and Disarmament Agency has undertaken a series of field studies and technical reports concerned with the technological problems of seabed activity verification, including analyses of cost factors associated with various verification techniques. In order to gain practical knowledge of some aspects of seabed search, staff members participated in two deep seabed searches conducted by the USNS *Mizar*.

The Geneva Conference resumed its second session of 1969 on July 3. The previous submission by the United States and the U.S.S.R. of draft seabed treaties provided the basis for concrete negotiations to work out an agreed treaty that might be referred to the twenty-fourth session of the U.N. General Assembly. During the following weeks, various member nations voiced their views on the two versions, particularly with respect to the verification question and the scope of the prohibitions.

On July 24 ACDA's General Counsel, William Hancock, testified before the Subcommittee on Ocean Space of the Senate Committee on Foreign Relations, chaired by Senator Claiborne Pell. The day marked the beginning of a series of public hearings on Senate Resolution 33, introduced by Senator Pell earlier in the year, "a resolution

[57] *Documents on Disarmament, 1967*, pp. 38–43.

endorsing basic principles for governing the activities of nations in ocean space." Mr. Hancock's testimony reviewed for the Subcommittee the U.S. draft treaty presented to the ENDC and the progress which the ENDC had made to date in its discussion of an arms control measure for the seabed.[58]

In late August the Soviet Co-Chairman gave the U.S. delegation privately a new text of a treaty. There followed an intensive evaluation of the Soviet counter-proposal within the U.S. Government. By mid-September a coordinated position had been formed, and a special session of the North Atlantic Council was called so that we could consult with our NATO Allies on the proposed basis for further negotiations in Geneva. A new draft was then presented privately to the Soviet delegation.

On October 7 the United States and the Soviet Union jointly tabled an agreed Draft Treaty on the Prohibition of the Emplacement of Nuclear Weapons and Other Weapons of Mass Destruction on the Sea-bed and the Ocean Floor and the Subsoil Thereof.[59] On the occasion of the joint tabling, the U.S. representative, Ambassador James Leonard, told the Conference of the intensive discussions which had led to the new joint draft and expressed satisfaction that "our labors have proved fruitful."[60] This joint draft formed the basis of discussions within the CCD (successor to the ENDC) and received a number of comments, particularly with respect to verification, amendment procedures, and a review conference. Responding to the views expressed by various delegations, the Co-Chairmen put forth a revised version on October 30.[61] This revised treaty text was annexed to the report of the CCD to the General Assembly.[62]

At the United Nations, the draft treaty was considered briefly by the U.N. Seabed Committee and extensively in the U.N. First Committee, where a number of amendments were suggested by various member nations. Although substantial progress was made, the questions raised by these initiatives were not entirely resolved during the course of the debate in the First Committee. Accordingly, on December 12 the United States and the Soviet Union offered a resolution which remanded the draft treaty text of October 30 to the Conference of the Committee on Disarmament. The resolution called on the Committee to take into account all proposals and suggestions made at the General Assembly and to continue its work so that the text of a draft treaty can be submitted to the twenty-fifth session of the General Assembly. This resolution passed by a vote of 116 to 0, with 4 abstentions.[63]

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[58] ***Activities of Nations in Ocean Space: Hearings Before the Subcommittee on Ocean Space of the Committee on Foreign Relations, United States Senate, Ninety-first Congress, First Session on S. Res. 33 To Express the Sense of the Senate that the President Should Make All Necessary Efforts to Place Before the United Nations Committee on the Peaceful Uses of the Seabed and Ocean Floor . . . a Resolution Endorsing Basic Principles for Governing the Activities of Nations in Ocean Space, July 24, 25, 28 and 30, 1969,*** pp. 3–36.

[59] *Ante*, pp. 473–475.

[60] *Ante*, p. 478.

[61] *Ante*, pp. 507–509.

[62] The CCD report appears *ante*, pp. 517–526.

[63] *Ante*, p. 715.

Nonproliferation of Nuclear Weapons

The diplomatic history of the Treaty on the Nonproliferation of Nuclear Weapons spans the administrations of three Presidents.[64] The last step in the domestic ratification process was taken by President Nixon on November 24 when he officially signed the instrument of ratification in a ceremony at the White House.[65] The final step will be the international act of depositing the instrument of ratification.[66]

The treaty was negotiated in the Eighteen-Nation Committee on Disarmament, in Geneva, over a period of 4 years. It was endorsed by the U.N. General Assembly in the spring of 1968[67] and was signed by President Johnson and the representatives of 55 other nations on July 1, 1968.

Soon after his inauguration, President Nixon sent a message to the U.S. Senate requesting advice and consent to ratification. The treaty had been sent to the Senate the preceding year, but action was suspended in the aftermath of the Soviet invasion of Czechoslovakia. Although the President's February 5 call for renewal of Senate consideration reiterated his condemnation of that Soviet action, he said, "I believe that ratification of the Treaty at this time would advance this Administration's policy of negotiation rather than confrontation with the USSR."[68]

The Senate Foreign Relations Committee held new hearings on February 18 and 20, receiving testimony from Secretary of State Rogers; Secretary of Defense Laird; Chairman of the Atomic Energy Commission Seaborg; Chairman of the Joint Chiefs of Staff General Wheeler; and ACDA Director Gerard Smith and his Deputy, Adrian Fisher. The Senate Armed Services Committee held hearings on the military implications of the treaty. Director Smith and Deputy Director Fisher testified before this Committee for ACDA. The Chairman of the Joint Chiefs of Staff, the Director of Defense Research and Engineering, and the Chairman of the Atomic Energy Commission also testified.

All of these Administration officials gave full support to the treaty, and reiterated the interpretations given by the previous Administration on the technical issues raised and on the implications for our security commitments.

In June 1968 the United States, Great Britain, and the Soviet Union introduced a resolution in the U.N. Security Council giving security assurances to the nonnuclear-weapons nations who are parties to the treaty.[69] All three governments made separate but parallel declarations to the Security Council in explanation of their affirmative votes on the resolution. In their declarations, the three nuclear powers state their intention "to seek immediate Security Council action to provide assistance, in accordance with the Charter, to any non-nuclear-weapon State party to the treaty on the non-proliferation of nuclear

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[64] The treaty may be found in *Documents on Disarmament, 1968*, pp. 461–465.
[65] See *ante*, pp. 576–577.
[66] The treaty entered into force Mar. 5, 1970.
[67] See *Documents on Disarmament, 1968*, pp. 431–432.
[68] *Ante*, p. 33.
[69] *Documents on Disarmament, 1968*, p. 444.

weapons that is a victim of an act of aggression or an object of a threat of aggression in which nuclear weapons are used." [70]

In its report on the treaty, the Foreign Relations Committee stated that it thought the U.S. Government by offering the resolution and the declaration, had given up an element of flexibility in bringing cases of aggression or threats of aggression to the attention of the Security Council, especially with respect to timing. The Committee observed, however, that if this action results in creating a framework for United States–Soviet cooperation in the United Nations, the "gesture will be worth the costs in diplomatic flexibility." [71]

The Committee favorably reported the treaty to the full Senate on March 6, and the Senate gave its consent to ratification on March 13 by a vote of 83 to 15.

The Committee's report contained a recommendation that the Administration endeavor to arrange for the United States and the Soviet Union to deposit their instruments of ratification concurrently, "thus emphasizing the historic nature of the event and avoiding insofar as possible misunderstandings which might otherwise arise." [72] Accordingly, the United States proposed to the Soviet Union that the final step of ratification be completed by the two Governments in this manner. (Great Britain had already deposited its instrument of ratification in November 1968, and France and Communist China have indicated publicly that they do not intend to sign) Arrangements are being worked out between the U.S. and the Soviet Governments, and it is expected that a joint ceremony will take place early in 1970. The treaty will enter into force when the three depositary governments and 40 other nations have deposited their instruments of ratification.

Under article III, each nonnuclear-weapon state party to the treaty undertakes to accept safeguards on its peaceful nuclear activities in order to insure that fissionable materials are not diverted to nuclear weapons or other nuclear explosive devices. These safeguards will be set forth in agreements to be negotiated and concluded with the International Atomic Energy Agency (IAEA) in accordance with the Statute of the IAEA and its safeguards system. The agreements may be negotiated with the IAEA by nations individually or in concert with other nations. Article III stipulates that negotiations for the agreements shall begin 180 days from the date of entry into force of the treaty. For those nations depositing their instruments of ratification or accession after the 180-day period, negotiation shall commence not later than the date of deposit. The agreements shall enter into force not later than 18 months after the date of initiation of negotiations.

The IAEA's safeguards system will assume greatly increased safeguards responsibilities as the Nonproliferation Treaty comes into force and the agreements are concluded. ACDA's research in support of the treaty is directed toward the development of techniques, procedures, instruments, and devices that might be used in international safeguards inspection.

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[70] *Ibid.*, pp. 439–440.
[71] *Ante*, p. 92.
[72] *Ante*, p. 94.

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The ACDA safeguards research program is closely coordinated with the Atomic Energy Commission to avoid duplication and, in fact, draws upon the expertise of the AEC and its contractors in carrying out some of the projects. The program is also coordinated with the IAEA and with other foreign safeguards research programs such as those of the European Atomic Energy Community (EURATOM), the United Kingdom and the Federal Republic of Germany.

In connection with ACDA's research on the instrumentation aspects of the safeguards problem, a portable instrument has been designed to detect and measure plutonium inside a sealed container. A prototype of this instrument has been designed and built under ACDA auspices. It has been evaluated by the IAEA and found to be capable of determining not only the presence of plutonium but the amount. Plutonium is a byproduct of the fission process which takes place in certain nuclear reactors, and it can be used as the essential element in the production of nuclear weapons. The detection of a clandestine diversion of plutonium to weapons purposes, therefore, is one of the basic reasons a safeguards system is needed.

The use of unattended sensors for arms control inspection has considerable appeal from the point of view of reducing the cost, manpower, and intrusiveness of inspections. A complete sensor system might include a number of sensors of different types, each gathering its own form of information and transmitting this through a data link to a central recording unit. There the information would be stored for later use by the inspector. Unattended sensor systems should be tamper-resistant to the extent they would reliably detect and reveal any efforts to insert false information. ACDA is currently working on the major parts of such a system.

The development of a prototype tamper-resistant data link is nearing completion. The concept for this secure data transmission system was originally developed under an external contract with ACDA. During the past 18 months, it has been field tested by the Agency's Field Operations Division, working in the facilities of the National Bureau of Standards. The results of the tests have now produced a cable of proven tamper-resistance. Preparations are under way to test a small diameter cable of different configurations in order to broaden the range of applicability of this means of data protection. The system will be employed in the inspection of nuclear reactors under IAEA control.

The remaining parts of the unattended instrumentation system are being developed under the direction of a joint U.S.–Canadian working group to safeguard a continuously refueled CANDU-type reactor. ACDA is funding the fabrication of this instrumentation at Sandia Corporation, and it will be field tested in two phases. The first phase, devoted to testing individual components and equipment, is now being carried out by ACDA's Field Operations Division, working with the National Bureau of Standards. The second phase will test the instrumentation operating as a system on the reactor.

Still another area of research, carried out jointly with the AEC, is investigating the application of minor isotope techniques to safeguards. A field test of these techniques was made during 1969 at the Nuclear Fuel Services facility at West Valley, N.Y., and preliminary results are very encouraging. Prediction of uranium to plutonium conversion,

"fingerprinting" of reactor fuel, and in-process inventory determination all appear feasible and practical using mass spectrometer measurements of the minor isotopes.

Research into minor isotope safeguards techniques (MIST) is also being conducted by a group in Karlsruhe, Germany. Evaluation of the German experiments together with the evaluation of the Nuclear Fuel Services' MIST experiment will provide the basis for future planned research to be conducted by a joint U.S.–German working group. It is anticipated that both the EURATOM and IAEA safeguards organizations will also participate in these experiments.

The Agency has also contributed to preparations for the implementation of article V of the NPT, under which potential benefits of peaceful applications of nuclear explosions are to be made available to nonnuclear-weapons states parties to the treaty. An Agency representative testified in hearings before the Joint Committee on Atomic Energy on proposed legislation to give the Atomic Energy Commission authority to carry out commercial applications of peaceful nuclear explosions. ACDA participated in several interdepartmental studies related to this subject, in technical talks held with the Soviets in April 1969, in U.S. contributions to the IAEA study of this subject, and in discussions at the Geneva disarmament conference and the U.N. General Assembly.

Conventional Arms and Military Expenditures

Among the major problems for urgent attention in the 1970's is how to arrest the trend in military spending and the proliferation of armaments worldwide.

In 1969 worldwide military expenditures are estimated to have totaled $200 billion—an increase of over 40 percent since 1964. Even allowing for the inflation of prices, world military outlays increased by close to 20 percent in the 6-year period from 1964 to 1969. The comparison with expenditures for social needs produces even more disparate figures. In 1967 the latest year for which comparative figures are available, the world was spending about 40 percent more on military programs than on public education; military expenditures exceeded those for public education in about one-third of the countries of the world, including the United States and the Soviet Union. In the field of public health, the world's total expenditure in 1967 was less than one-third as large as the military outlay.

In many parts of the world military expenditures compete for scarce national resources and may diminish current consumption and the opportunities for economic development. There is virtual unanimity among economists that a reallocation of resources from military purposes to civilian needs would be of general economic benefit. The question is what influences can be brought to bear to reverse the upward trend in military spending.

While world attention focuses on strategic arms negotiations, the Arms Control and Disarmament Agency believes that the problem of conventional arms must not be neglected. Measured in money terms, these are the weapons that account for the major share of the world's military outlays. Conventional weapons are the working tools of mod-

ern war. Since 1945 conventional forces with conventional weapons have fought fifty-five wars; hundreds of thousands of people have been casualties.

The Agency is working on several approaches to the control of conventional arms. One is concerned with mutual and balanced force reductions between the NATO and Warsaw Pact countries, discussed in the following chapter.

Another critical problem in this field is the control of the international traffic in arms. The value of exports of military goods worldwide recently has averaged close to $4 billion a year; half or more of this has gone to the less developed parts of the world. Such purchases of equipment, particularly of the advanced types, may fuel regional arms races and have a broad destabilizing effect. While it can be argued that local disputes are not normally motivated by possession of armaments, the escalation of a dispute to hostilities and the intensity of subsequent fighting can often be directly attributed to the availability of weapons.

ACDA has been increasingly concerned with the problem of arms transfers since 1966 when a senior level interbureau working group was set up to coordinate and supervise Agency activities in this field and to maintain liaison with other departments and agencies on arms transfers and related export control. During the past year, responsibility for this activity was centralized in ACDA's Economics Bureau.

ACDA is a participant in a variety of interagency forums dealing with arms transfer policy formulation. These include the State/Defense Coordinating Committee on Arms Sales, the weekly meeting of the politico-military officers from the State Department's regional bureaus, and consultations on implementing the restriction on arms transfers included in foreign assistance legislation. ACDA's participation in the National Security Council, and its subordinate bodies, i.e., the Under-Secretaries Committee, the interdepartmental groups and *ad hoc* working committees, insures the Agency an opportunity to set forth arms control concerns in the policy decision process involved in arms sales and military assistance.

ACDA also develops and promotes proposals for controlling conventional arms traffic for consideration within the U.S. Government and possible international action. In pursuing this function, ACDA has concentrated on three general types of initiatives: (1) registration and publication proposals; (2) arms supplier agreements; and (3) regional arms limitations.

The idea for registering and publicizing arms transfers has been under intermittent consideration in the United Nations and elsewhere since 1965. In the immediate aftermath of the June 1967 war in the Middle East, the United States proposed, without success, that the U.N. member nations report all arms shipments into the Middle East and that the records be available for all to see.

Despite the lack of concrete progress, the Agency continues to explore this initiative as a possible opening approach to international arms traffic control. A broad study was made of the current reporting of arms transfers by foreign countries. An in-house report, completed in August 1969, summarized and analyzed the policy issues

raised by a registration proposal. This study can serve as a contribution to policy formulation in the future.

Efforts at effecting arms supplier agreements have usually been associated with attempts to settle local wars, e.g., Arab-Israeli war in 1967, Indian-Pakistani war in 1965. Prior to and following the outbreak of hostilities in 1967, the United States sought agreement with the U.S.S.R. in curtailing arms shipments to the Middle East. These efforts were to no avail, and deliveries continue. Following the outbreak of fighting between India and Pakistan in 1965, the United States and the United Kingdom declared immediate embargoes on arms shipments to the belligerents. These embargoes probably helped influence the two countries to accept a truce. The United States has continued to embargo lethal items. We have urged other suppliers, particularly the U.S.S.R., to follow suit, but again unsuccessfully.

These experiences show that, to be effective, suppliers' agreements must be adhered to by the major arms suppliers. Although history suggests that supplying countries are reluctant to give up what they regard as a useful political tool, there are conceivable situations in which it would suit the objectives of all major suppliers to exercise restraint. The Agency is constantly reviewing the evolution of the politico-military situations in the various regions of the world in an effort to ascertain when the ingredients necessary for such an arms control agreement are present.

Agreements which are politically feasible are more likely to be found in well-defined geographical areas. Hence, the Agency's concentration on regional arms limitation.

ACDA funds a program of external research to support its activities in the area of conventional arms control. This program has included research into the economic effects of defense expenditures on development progress, the volume and patterns of arms trade, the nature and control of local conflict, and political environment and its relation to arms control proposals.

As previously pointed out, economists are agreed that a shift of resources from military to civilian purposes would be economically beneficial. About two out of every five dollars of Federal budget outlays in the United States are for national defense purposes. These military requirements limit the Federal Government's freedom of action to carry out programs to meet the pressing needs of an expanding population and at the same time reduce the tax burden. However, it is recognized that if arms control and disarmament measures show promise of leading to reduced defense spending, every effort should be made to bring about an orderly transition during the change. The general prosperity of the country must be maintained and consideration given to the interests of those whose livelihood depends on the defense activity to be eliminated.

The Arms Control and Disarmament Agency is enjoined by statute to study and assess these problems. The research covers the identification of the industries, communities, and workers dependent on defense-related activity, and the kinds of policies and actions which would assist them in adjusting to a reduction in that activity. Supplementing earlier studies of the electronics and shipbuilding industries, a contract study was completed this year on the dependency of the metal

working machinery and equipment industry on defense work. The study found that, despite the fact that the Defense Department is one of the largest ultimate consumers for capital goods, conditions in this industry essentially are "governed by the overall economic climate" rather than the changes in levels of defense spending.[73]

Because of its broad research experience on the economics of reduced defense spending, the Agency has been in a position to assist interdepartmental groups established by the President to plan for analogous post-Viet-Nam economic adjustments.

Mutual and Balanced Force Reductions in Central Europe

In 1969 the North Atlantic Treaty Organization (NATO) resumed its study of possible mutual and balanced force reduction (MBFR) for the central part of Europe, which had begun with the December 1967 Ministerial Meeting of the North Atlantic Council. The Soviet invasion of Czechoslovakia in August 1968 dimmed the prospects for discussions concerning European security, but even in the face of that severe setback the NATO Ministerial Meeting in mid-November of that year issued a communique stating, "Nevertheless, the Allies in close consultation are continuing their studies and preparations for a time when the atmosphere for fruitful discussions is more favourable." [74]

At their April 1969 meeting in Washington, the NATO Ministers gave new impetus by issuing another statement declaring their intention to "explore with the Soviet Union and the other countries of Eastern Europe which concrete issues best lend themselves to fruitful negotiations and an early resolution" and to pursue their efforts and studies in the field of disarmament and practical arms control, including balanced force reductions.[75]

The work of NATO on MBFR was intensified and refined at the June and September meetings of the Senior Political Committee and experts from NATO capitals, and an initial report was submitted to the North Atlantic Council. Consideration of that report and others on associated European security issues led the NATO Ministers to announce at their December 1969 meeting that "the studies in mutual and balanced force reductions have progressed sufficiently to permit the establishment of certain criteria which, in their view, such reductions should meet" and "they will continue their studies in order to prepare a realistic basis for active exploration at an early date and thereby establish whether it could serve as a starting point for fruitful negotiations." The Ministers requested that detailed plans of various possible balanced force reductions be prepared for consideration and submitted to them as soon as possible. The Ministers concluded that "significant reductions under adequate verification and control—which should also be consistent with the vital security interest of all parties—would be another concrete step in advancing 'along the road

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[73] Resource Management Corporation, *The Defense Dependency of the Metalworking and Equipment Industry and Disarmament Implications* (ACDA/E–130), p. viii.

[74] *Department of State Bulletin*, Dec. 9, 1968, p. 596.

[75] *Ante*, pp. 184–186.

of ending the arms race and of general and complete disarmament,' including nuclear disarmament." Finally, the Ministers directed that further studies should be given to measures which could accompany or follow agreement on mutual and balanced force reductions. The Ministers specified that such measures could include "advance notification of military movements and maneuvers, exchange of observers at military maneuvers and possibly the establishment of observation posts." [76]

With this detailed guidance it is to be expected that NATO will continue to intensify its work with a view to submitting to the Ministers in May 1970 detailed plans on MBFR. ACDA will continue to provide experts to work with other responsible U.S. Government agencies and the NATO Senior Political Committee on these MBFR studies.

In support of the NATO MBFR studies, the ACDA staff concentrated during 1969 on exploiting the extensive research conducted over the past several years related to arms control measures applicable to the military confrontation in Central Europe. Of particular value have been those studies on the impact of potential arms control measures on ground forces capabilities in Europe and those specifically concerned with the inspection and verification of various forms of balanced force reductions in the central part of Europe. During the year a final report was completed on Exercise FIRST LOOK, a field test related to inspection and verification of general purpose ground and air forces which was conducted jointly with the United Kingdom in southern England in 1968. The results of that test as well as the results of related ACDA research on verification have been useful in NATO MBFR studies.

Previous research was supplemented in 1969 by a newly completed contract study on future Soviet interests in arms control. Another external study will identify the manner in which European security arrangements are likely to change during the 1970's. Such information will serve as a basis for recommending a variety of policy choices geared to promoting both security in Europe and arms control.

General Advisory Committee

The Arms Control and Disarmament Agency's legislative authority provides for the appointment by the President of a General Advisory Committee, "to advise the President, the Secretary of State, and the Disarmament Director respecting matters affecting arms control, disarmament, and world peace." [77]

President Nixon reconstituted the General Advisory Committee on June 5, 1969, with the appointment of fourteen new members and the reappointment of Mr. John J. McCloy as Chairman. They were confirmed by the Senate on July 30 and sworn in at a Blair House ceremony on October 2.

In charging the new Committee with its responsibilities, the President told them that the ". . . advice on the complex national security issues with which the Committee will be dealing will be of great value to me and my associates in the Administration. I consider our efforts

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[76] *Ante*, p. 626.
[77] *Documents on Disarmament, 1961*, p. 485.

in the area of arms control as an integral part of our security policies and I hope therefore that your Committee will examine the problems before it in the context of our over-all security interests and objectives." The President emphasized to Mr. McCloy that he wished the Committee to be an independent advisory body.

In the light of the President's guidance, the Committee promptly began to inform itself on the basic issues relating to national security. As a preliminary step, it began a series of intensive meetings to review the status of the strategic balance and to consider the relationship between U.S. arms control policy and U.S. national security needs. The Committee called upon a number of distinguished American and foreign experts on strategic matters to meet with it to discuss these issues.

The President met with the Committee during its meeting on December 16. He heard a report on what the Committee had done thus far and he laid several specific problems before it for study and advice in connection with the Strategic Arms Limitation Talks.

Meetings were also held to discuss U.S. relations with the Soviet Union, Communist China, and Western Europe as well as the specifics of arms control policy centering on the Strategic Arms Limitation Talks. Secretary of State Rogers; Under Secretary Richardson; Deputy Secretary of Defense Packard; the President's Assistant for National Security Affairs, Dr. Kissinger; the Chief of Naval Operations, Admiral Moorer; the Director of ACDA, Mr. Smith and his Deputy, Mr. Farley, among others, met with the Committee to discuss national security and arms control questions.

In addition, the Committee heard Professor Marshall Shulman, Ambassador Llewellyn Thompson, and Dr. Thomas Wolfe on the Soviet Union; Professors Allen S. Whiting and A. Doak Barnett on China; Mr. André Fontaine, Director of *Le Monde*, Paris; Dr. Karl Carstens, former adviser to the Chancellor of the Federal German Republic; Mr. Alastair Buchan, Commandant of the Imperial Defence College, London; and Professor Robert Bowie of the Center for International Affairs at Harvard on Western Europe. Meetings have been scheduled for the beginning of 1970 to continue this examination with a session on Japan and to address the specific problems raised by the President relating to the Strategic Arms Limitation Talks.

In order to assist the Committee in the performance of its work, the Chairman has a small staff located in the Committee's offices in the Department of State.

The members of the Committee, appointed by President Nixon, are:

John J. McCloy, lawyer, former adviser on Disarmament to President Kennedy, retired Chairman of the Chase Manhattan Bank, former Chairman of the Ford Foundation, of the World Bank, U.S. High Commissioner for Germany, and Assistant Secretary of War during the Second World War.

I. W. Abel, President of the United Steel Workers of America.

Dr. Harold Brown, scientist, President of the California Institute of Technology and former Secretary of the Air Force.

William J. Casey, author, editor, and lawyer.

C. Douglas Dillon, banker, former Ambassador to France, former Under Secretary of State, and Secretary of the Treasury.

William C. Foster, former Director of the Arms Control and Disarmament Agency and former Deputy Secretary of Defense.

Kermit Gordon, economist, President of the Brookings Institution, former member of the Council of Economic Advisers, and Director of the Bureau of the Budget.

Dr. James R. Killian, Chairman of the Corporation of Massachusetts Institute of Technology, former Special Assistant to the President for Science and Technology.

Gen. Lauris Norstad, USAF (Ret.), Chairman of the Board and President of the Owens-Corning Fiberglas Corporation, former Supreme Allied Commander in Europe (SHAPE).

Peter G. Peterson, business executive, Chairman of the Board of Bell and Howell.

Dr. Jack Ruina, scientist, Professor of Electrical Engineering at Massachusetts Institute of Technology, former President, Institute for Defense Analyses and Assistant Director for Defense Research and Engineering, Department of Defense.

Dean Rusk, former Secretary of State.

Gov. William Scranton, lawyer, former Governor of Pennsylvania and Member of Congress.

Cyrus Vance, lawyer, former Deputy Secretary of Defense.

Dr. John Archibald Wheeler, scientist, Joseph Henry Professor of Physics at Princeton.

Agency Operations

Organization

The Arms Control and Disarmament Act assigns to the U.S. Arms Control and Disarmament Agency the primary responsibility within the U.S. Government for searching out ways to put an end to the arms race. The Act provides that the Agency "must have such a position within the Government that it can provide the President, the Secretary of State, other officials of the executive branch, and the Congress with recommendations concerning United States arms control and disarmament policy, and can assess the effect of these recommendations upon our foreign policies, our national security policies, and our economy." [78]

When President Nixon announced the appointment of Gerard Smith to be Director, he specified that the Director will have direct and ready access to the Secretary of State and to the President and will participate in all meetings of the National Security Council at which matters within the scope of the mission of the Agency are considered.[79]

In addition to being the principal adviser on arms control and disarmament to the President and Secretary of State, ACDA's Director is also the chief U.S. negotiator in the field of arms control. On July 5, 1969, the President designated him as head of the U.S. delegation to the Strategic Arms Limitation Talks. The Director, the Deputy Director, and the Assistant Director for International Relations, at different periods during the year, also served as head of the U.S. delegation to the Conference of the Committee on Disarmament (formerly the ENDC) in Geneva. The Director and the Assistant Director for Inter-

[78] *Documents on Disarmament, 1961*, p. 483.
[79] *Weekly Compilation of Presidential Documents*, Feb. 3, 1969, p. 188.

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national Relations were members of the American delegation to the twenty-fourth U.N. General Assembly.

To carry out its functions and responsibilities, ACDA has an organizational structure which, in addition to the Offices of the Director and Deputy Director, includes four bureaus, each headed by an Assistant Director. These are the International Relations Bureau, the Science and Technology Bureau, the Economics Bureau, and the Weapons Evaluation and Control Bureau. Supporting the Director, Deputy Director, and the four bureaus are the Office of the General Counsel, the Executive Director and the Public Affairs Adviser.

The ACDA staff is comparatively small—slightly more than 200—and is drawn from a variety of disciplines—political, military, scientific, legal, behavioral, and economic. The work of the Agency falls primarily into two categories: formulation of arms control and disarmament policy recommendations, including preparation for and management of international negotiations; and research into the myriad complex problems related to arms control and disarmament. In addition to ACDA's extensive internal research, field testing, and analysis, research projects are conducted by outside contractors, with ACDA officers acting as monitors. ACDA also maintains a list of consultants whose expertise is drawn upon by the Agency for special projects or other problems.

Formulation and Coordination of Policy Recommendations

Every major new proposal which the United States makes in international negotiations must first receive the President's approval.

One of President Nixon's first acts upon taking office was to direct that the National Security Council (originally constituted in 1947) be the principal forum for consideration of policy issues requiring Presidential determination. The nature of the issues considered by the Council, in its revitalized role, range from current crises and immediate operational problems to middle- and long-range planning. The Director makes policy recommendations to the President both directly and through his participation in relevant meetings of the National Security Council. The Director's role in NSC deliberations is in keeping with the underlying principle contained in the Agency's enactment bill, that "Arms control and disarmament policy, being an important aspect of foreign policy, must be consistent with national security policy as a whole." [80]

Representatives of the Agency participate, when arms control and disarmament or related matters are being considered, in the Under-Secretaries Committee, the National Security Council Review Group, and the various interdepartmental, regional, and functional groups established under the National Security Council to study specific national policy problems and to plan and carry out programs.

ACDA staff maintain day-to-day contacts with personnel in concerned departments and agencies in the development of ideas, the preparation of position papers, and the dispatch of policy guidance to the negotiators at the conference table.

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[80] *Documents on Disarmament, 1961*, p. 482.

Planning and Coordination of Research

The ACDA Research Council reviews and makes recommendations to the Director on all aspects of the ACDA external research program, including specific contracts. The Council is made up of the Special Assistant to the Director, who serves as chairman; the Assistant Directors who head the four bureaus; the General Counsel; and the Executive Director. A Research Planning Group assists the Council in developing, coordinating, and evaluating the research program. The Executive Secretary of the Council is chairman of the Planning Group and the other members are representatives of the four bureaus.

The Congress has charged the Agency with responsibility for coordinating research in the field of arms control and disarmament throughout the Government. ACDA staff personnel maintain working level relationships with their counterparts in other agencies—such as the Departments of Defense and State, the Atomic Energy Commission, the Central Intelligence Agency, and the Departments of Commerce and Labor—with which ACDA shares mutual interests and problems. ACDA coordinates formally with these agencies all of the external research projects it plans to carry out. The Agency also reports to the Bureau of the Budget periodically on the progress being made in arms control and disarmament research.

ACDA's sponsored research on foreign areas in the social sciences is coordinated closely with the State Department's Foreign Area Research Coordination Group, which is charged with coordinating all such research throughout the Government. ACDA sits on the main committee of this Group and also participates in a number of subcommittees concerned with the interchange of research data and discussion of future plans. All of ACDA's foreign area external research in the social sciences is also formally cleared with the Department of State's Foreign Affairs Research Council, in order to insure that it will not have adverse effects on U.S. foreign relations.

ACDA maintains a Reference Information Center as a central point for storing and retrieving its arms control and disarmament information, much of it derived from the Agency's research program.

To help ACDA coordinate the execution of its mission in the field of inspection, verification, and associated field testing, a Joint Advisory Committee has been established. This Committee is chaired by ACDA; its members come from the Department of State, CIA, AEC, NASA, and key DOD components including ISA, DDR&E, JCS, DASA, and the military services.

Social Science Advisory Board

The ACDA Social Science Advisory Board [81] was established in March 1964 by the Director under his statutory authority to advise on the social science aspects of the Agency's programs. In 1969 it held two meetings: on March 26–27 and November 6. During these sessions, the members of the Board were briefed on current arms control and disarmament programs and on the status of the Agency's social science programs.

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[81] The members are listed *infra*.

In the intervals between meetings, Board members were called upon for advice and assistance with regard to specific research projects under way in ACDA or with regard to new proposals under consideration.

Members of the Board represent an important channel of communication between the Agency and the academic community. Through them, universities and individual scholars can be acquainted with ACDA's plans for new research, and with the results of completed studies.

Three members of the Board are on the National Academy of Sciences Committee which advises in the selection of candidates for the Agency's Dissertation Support Program which was instituted in 1968.

Public Information

The Arms Control and Disarmament Act gives the Agency responsibility for "the dissemination and coordination of information concerning arms control and disarmament."

Daily liaison with the press is maintained by the office of Public Affairs by responding to individual calls and visits from members of the press corps. In addition, the Public Affairs Office—in coordination with other Government agencies—provides the State Department News Office with background material on arms control and disarmament policy and factual answers to press inquiries on developing news stories which might arise during the Daily News Briefing.

Either the Public Affairs Adviser or a senior member of his staff is a member of the U.S. delegations to major international arms control and disarmament conferences. During 1969, in addition to providing members of the press with news guidance at the Geneva Disarmament Conference and the U.N. General Assembly, the Public Affairs Adviser attended the Strategic Arms Limitation Talks held in Helsinki. In excess of 450 news representatives from various parts of the world covered the opening of the talks.

Direct information service to the public is provided through preparation and distribution of publications, booking of Agency officers to address organizations, schools, and public meetings, participation by Agency officers in conferences and seminars, assistance to schools and colleges, consultation with organization leaders, briefings for student and adult visitors, and response to direct inquiries.

ACDA publications circulated during 1969 included the 8th *Annual Report* which surveys the Agency's activities and summarizes disarmament developments for the previous calendar year; *Documents on Disarmament, 1968* (one of a series which annually reprints significant speeches, proposals and documents), *World Military Expenditures*, a statistical summary; the Quarterly Bibliography, produced under contract for ACDA by the Library of Congress, which summarizes articles and books; *Arms Control and National Security*, a "primer" on contemporary disarmament concepts and issues. These items may be obtained by writing to the Agency, although supplies are limited. They are sold by the U.S. Government Printing Office. All pamphlets and unclassified research reports are available to readers at the 96 depository libraries listed in Appendix IX of this

report.[82] These publications and unclassified research reports are increasingly finding use in college classrooms and study programs.

The Agency, upon request, provides speakers for schools, organizations, and public meetings. It requests that travel costs be defrayed by the host organization. The Agency regards "platform" travel of this sort as an opportunity to learn as well as to teach; officers are requested to report interesting ideas and suggestions developed in the course of question periods and discussions. Several important innovations have been generated through such contacts.

An ever-wider acceptance of arms control as an aspect of international relations has resulted in requests from school and university instructors for assistance in preparing arms control and disarmament segments of courses in political science, history, defense, and other subjects. Assistance has been rendered through office, telephone and mail consultations, and through direct briefings to students at the Agency's offices and on college campuses.

In order to learn something about the burgeoning academic interest in this field, the Agency, last September, sent a questionnaire to all institutions of higher learning in the United States, seeking information on instruction relating to arms control. The questionnaire asked what courses were devoted primarily to arms control, and also inquired about incidental references to arms control in courses in political science, sociology, other behavioral sciences, physical or natural sciences, law, international relations, military security or strategy, and other courses. The responses to the questionnaire are now being analyzed and a report is being prepared.

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THE SOCIAL SCIENCE ADVISORY BOARD

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Alice Langley Hsieh, Institute for Defense Analyses, Arlington, Va.
Morris Janowitz, Professor of Sociology at the University of Chicago, Chicago, Ill.

[83] Not printed here.

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Officials of the Agency

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Deputy Director: Philip J. Farley
Assistant Director, International Relations Bureau: James F. Leonard
Deputy: Arthur R. Day
Assistant Director, Weapons Evaluation and Control Bureau: John J. Davis, Lt. Gen., USA
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Special Assistant to the Director and Executive Secretary: Howard Furnas
Counselor: Lawrence D. Weiler

ANNEX

Geneva Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, June 17, 1925 [1]

The undersigned Plenipotentiaries, in the name of their respective Governments:

Whereas the use in war of asphyxiating, poisonous or other gases, and of all analogous liquids, materials or devices, has been justly condemned by the general opinion of the civilised world; and

Whereas the prohibition of such use has been declared in Treaties to which the majority of Powers of the world are Parties; and

To the end that this prohibition shall be universally accepted as a part of International Law, binding alike the conscience and the practice of nations;

Declare:

That the High Contracting Parties, so far as they are not already Parties to Treaties prohibiting such use, accept this prohibition, agree to extend this prohibition to the use of bacteriological methods of warfare and agree to be bound as between themselves according to the terms of this declaration.

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[1] *Department of State Bulletin*, Dec. 15, 1969, pp. 541–543.

The High Contracting Parties will exert every effort to induce other States to accede to the present Protocol. Such accession will be notified to the Government of the French Republic, and by the latter to all signatory and acceding Powers, and will take effect on the date of the notification by the Government of the French Republic.

The present Protocol, of which the French and English texts are both authentic, shall be ratified as soon as possible. It shall bear today's date.

The ratifications of the present Protocol shall be addressed to the Government of the French Republic, which will at once notify the deposit of such ratification to each of the signatory and acceding Powers.

The instruments of ratification of and accession to the present Protocol will remain deposited in the archives of the Government of the French Republic.

The present Protocol will come into force for each signatory Power as from the date of deposit of its ratification, and, from that moment, each Power will be bound as regards other Powers which have already deposited their ratifications.

In witness whereof the Plenipotentiaries have signed the present Protocol.

Done at Geneva in a single copy, this seventeenth day of June, One Thousand Nine Hundred and Twenty-Five.

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United Nations Materials

General

The activities, proceedings, and decisions of United Nations organs, the International Atomic Energy Agency, and the specialized agencies are reviewed annually, monthly, and daily in the *Yearbook of the United Nations*, the *UN Monthly Chronicle*, and the *Journal of the United Nations*. The last, supplemented by a daily list of documents distributed, provides useful current information on schedules and agendas of meetings of the General Assembly and its committees. The 1967 *Yearbook* is the most recent (U.N. sales no. E.68.I.1), covering calendar year 1967. The *International Atomic Energy Bulletin*, published six times a year, also offers information of interest. Vol. 11 comprises the 1969 issues. The most recent issue of another useful series, the *Indexes to*

Proceedings, is that for the *Twenty-second and Resumed Twenty-second Session, 1967–68 and Fifth Emergency Session, 1967* (ST/LIB/SER.B/A.18, sales no. E.69.I.3). Two valuable guides to United Nations documents are the *United Nations Documents Index, Cumulative Checklist, 1967*, vol. 18, Parts I and II (ST/LIB/SER.E/CUM.9, pts. 1 & 2) and the monthly (11 issues per year) *United Nations Documents Index, 1969*, vol. 20 (ST/LIB/SER.E/246–256). Publications of special interest are: *Disarmament: A Select Bibliography, 1962–1967* (ST/LIB/SER.B/12, sales no. E.68.I.10), *The United Nations and Disarmament, 1945–1965* (sales no. 67.I.8), and *Treaty on the Non-Proliferation of Nuclear Weapons* (OPI/372).

Committee To Study the Peaceful Uses of the Sea-Bed and the Ocean Floor Beyond the Limits of National Jurisdiction

Summary records of meetings of the Committee and its working groups, as well as documents of the Committee and working groups, exist in mimeographed form. The report of the Committee has been printed as General Assembly *Official Records: Twenty-fourth Session, Supplement No. 22* (A/7622) and *No. 22A* (A/7622/Add.1).[5]

Committee on the Peaceful Uses of Outer Space

Verbatim records of meetings exist in mimeographed form. Summary reports of the Legal Subcommittee meetings are also mimeographed. The report of the Committee appears as General Assembly *Official Records: Twenty-fourth Session, Supplement No. 21* (A/7621) and *No. 21A* (A/7621/Add.1).

Disarmament Commission

Verbatim records of meetings are printed in the Disarmament Commission *Official Records*. ENDC reports issued during January 1, 1967–December 31, 1968 have been published as Disarmament Commission *Official Records: Supplement for 1967 and 1968*.

Economic and Social Council

Summary records of meetings are published in the Economic and Social Council *Official Records*. The 1969 (July 14–August 8) records are for the Forty-seventh Session. The *Index to Proceedings of the Economic and Social Council—Forty-Sixth Session—1969* (sales no. E.70.I.8) is a bibliographical guide to the proceedings and documentation of the May 12–June 6, 1969 session. The 1969 report of the Council, covering its activities during the period August 3, 1968–August 8, 1969, as well as those of the Council's Committees and *ad hoc* committees, has been issued as General Assembly *Official Records: Twenty-fourth Session, Supplement No. 3*.

Committee on Disarmament

(Eighteen Nation Disarmament Committee)[6]

Verbatim records of meetings of the plenary committee, the Committee of the Whole, and the Subcommittee on a Treaty for the Discontinuance of Nuclear Weapons Tests of the Eighteen Nation Disarmament Committee exist in mimeographed form. Documents and verbatim records of meetings of the Committee on Disarmament, dating from August 26, 1969, also exist in mimeographed form. The report of the Committee for the period March 18–October 30, 1969 was issued as A/7741–DC/232. It is reprinted *ante*, pp. 517–526.

General Assembly

Verbatim records of plenary meetings and summary records of committee meetings are published in the General Assembly *Official Records*. The texts of General Assembly resolutions are published in the *Official Records, Annexes*. Agenda items of interest of the 24th General Assembly are numbers 29, 104, 30, and 31.

Secretary-General

The annual report of the Secretary-General on the work of the organization for the period June 16, 1968–June 15, 1969, has been published in General Assem-

[5] Printed *ante*, pp. 574–576.
[6] See *ante*, p. xvii.

bly *Official Records: Twenty-fourth Session, Supplement No. 1* (A/7601) and *No. 1A* (A/7601/Add.1). The report of the Secretary-General's consultative group on Chemical and Bacteriological (Biological) Weapons and the Effects of Their Possible Use has been issued as A/7575,[7] the report of the group of experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, as A/7568.[8]

Security Council

Verbatim records of meetings are published in the Security Council *Official Records*. The annual report of the Security Council to the General Assembly for the period July 16, 1968–July 15, 1969 is printed in General Assembly *Official Records: Twenty-fourth Session, Supplement No. 2*.

World Health Organization

The report of a WHO group of consultants, *Health Aspects of Chemical and Biological Weapons*, completed on November 21, 1969, has been published as a paperback.[9]

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[7] Excerpts printed *ante*, pp. 264–298.
[8] Excerpt printed *ante*, pp. 256–263.
[9] Inquiries may be addressed to World Health Organization, Distribution and Sales Unit, Geneva, Switzerland.

LIST OF PERSONS

ABEL, I. W. President, United Steel Workers of America; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

ACHESON, DEAN. U.S. Secretary of State, 1949–1953.

ADAMS, EMERY J. Deputy Executive Director, U.S. Arms Control and Disarmament Agency, 1961– .

AIKEN, GEORGE D. U.S. Senator (Rep., Vt.), 1940– ; member, Foreign Relations Committee.

ALDRIN, EDWARD E. U.S. astronaut, member of Apollo 11 mission, 1969.

ALEKSEEV, N. N. Member, Soviet SALT delegation, 1969.

ALLISON, LT. GEN. ROYAL B., USAF. Deputy Chairman, Joint Chiefs of Staff Special Studies Group, 1964– ; member, U.S. SALT delegation, 1969– .

DE ARAUJO CASTRO, JOÃO AUGUSTO. Brazilian Ambassador, leader of the delegation to the ENDC, 1963–1964, Jan.–Mar. 1968; Permanent Representative to the United Nations, 1968– .

ARMSTRONG, NEIL A. U.S. astronaut, commander of Apollo 11 mission, 1969.

ASAKAI, KOICHIRO. Japanese Ambassador to the United States, 1957–1963; Adviser to the Minister for Foreign Affairs; leader of the Japanese delegation to the CCD, 1969.

ASTROM, SVERKER C. Swedish Ambassador, Permanent Representative to the United Nations.

BACON, JOHN GEORGE. Executive Director, U.S. Arms Control and Disarmament Agency, 1967– .

BAKACS, DR. TIBOR. Professor of Hygiene, Director-General, National Institute of Public Health, Budapest; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

BARNETT, A. DOAK. Specialist on Far Eastern Affairs; Senior Fellow, Brookings Institution.

BARTLEMA, DR. HOTSE C. Head, Microbiological Department, Medical-Biological Laboratory, Netherlands National Defense Research Organization; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

BASHEV, IVAN. Bulgarian Foreign Minister, 1962– .

BATZEL, ROGER E. Associate Director, Lawrence Radiation Laboratory; participant in U.S.-Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

BAUM, VLADIMIR. Member, U.N. Secretariat.

BENNETT, DR. IVAN L. Director, New York University Medical Center and Vice-President of Medical Affairs, New York University; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

BERGSON, ABRAM. Professor of Economics, Harvard University, 1956– ; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1966– .

BHAGAVANTAM, DR. S. Scientific adviser to the Indian Minister of Defence; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

BOWIE, ROBERT R. Professor, Director of Center for International Affairs, Harvard University, 1957– .

BRANDT, WILLY. Vice-Chancellor and Foreign Minister, Federal Republic of Germany, 1966–69; Chancellor, 1969– .

BREZHNEV, LEONID ILYICH. General Secretary, Central Committee, Communist Party of the Soviet Union, 1964– .

BRONFENBRENNER, URIE. Professor of Psychology, Cornell University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1965– .

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BROWN, DR. HAROLD. Director, Defense Research and Engineering, 1961–1965; Secretary of the Air Force, 1965–1968; President, California Institute of Technology, 1969– ; member, U.S. SALT delegation 1969– .

BROOKE, EDWARD W. U.S. Senator (Rep., Mass.), 1966– .

BUCHAN, ALASTAIR F. Director, Institute for Strategic Studies, London, 1958–1969; Commandant, Imperial Defence College, London, 1969– .

BUFFUM, WILLIAM B. U.S. Ambassador, Deputy Permanent Representative to the United Nations, 1967– .

CAPRON, WILLIAM M. Associate Dean, John F. Kennedy School of Government, Harvard University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1968– .

CARACCIOLO, ROBERTO. Italian Ambassador, leader of the delegation to the CCD, 1967– .

CARLSON, FRANK. U.S. Senator (Rep., Kans.), 1950–1969; member, Foreign Relations Committee.

CARRILLO FLORES, ANTONIO. Mexican Foreign Secretary, 1964– .

CARSTENS, DR. KARL. German lawyer and diplomat; former adviser to the Chancellor, Federal Republic of Germany.

CASE, CLIFFORD. U.S. Senator (Rep., N.J.), 1955– ; member, Foreign Relations Committee.

CASEY, WILLIAM J. American attorney; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

CEAUSESCU, NIKOLAE. General Secretary, Central Committee, Romanian Communist Party; President, State Council, Socialist Republic of Romania, 1967– .

CERNIK, OLDŘICH. Chairman, Federal Government of the Czechoslovak Socialist Republic, 1968–1970.

CESONI, G. Director, Fiat, Nuclear Energy Section; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

CHALFONT, LORD. British Disarmament Minister, 1965–1967; leader of the U.K. delegation to the ENDC, 1965–1967; 1969 (second session)– .

DE CHEVIGNY, PIERRE. French Senator; member, delegation to the United Nations, 1968, 1969.

CHOU EN LAI. Premier, State Council, People's Republic of China, 1958– .

CHRISTOV, KROUM. Bulgarian Ambassador, leader of the delegation to the ENDC, 1967– .

CLARK, J. Industrial representative, Nuclear Fuel Services, West Valley, New York.

CLIFFORD, CLARK M. Secretary of Defense, 1968.

COLE, STERLING. American lawyer; Director General, IAEA, 1957–1961; Chairman, Joint Committee on Atomic Energy, 1953–1954.

COLLINS, MICHAEL. U.S. astronaut on Apollo 11 mission, 1969; Assistant Secretary of State for Public Affairs, 1969– .

COOPER, JOHN SHERMAN. U.S. Senator (Rep., Ky.), 1956– ; member, Foreign Relations Committee.

CORRADINI, ALESSANDRO. Chief, Committee and Conference Services Section, U.N.; Secretary, Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

CRAIG, GORDON A. Professor of History, Stanford University; member Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964– .

CYRANKIEWICZ, JOZEF. Chairman, Council of Ministers, Polish People's Republic, 1969– .

CZARKOWSKI, ANTONI. Permanent representative of Poland to the United Nations Office at Geneva; leader of the delegation to the CCD, 1969 (July–Sept.).

DAVIS, LT. GEN. JOHN J. Assistant Director, Weapons Evaluation and Control Bureau, U.S. Arms Control and Disarmament Agency, 1964–1970.

DAVISON, W. PHILLIPS. Professor of Journalism and Sociology, Columbia University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964– .

DAY, ARTHUR R. Deputy Assistant Director, International Relations Bureau, U.S. Arms Control and Disarmament Agency, 1969– .

DEEMER, WALTER L. Deputy Assistant Director, Weapons Evaluation and Control Bureau, U.S. Arms Control and Disarmament Agency, 1965– .

DEJAMMET, ALAIN. Member, French permanent mission to the United Nations.
DILLON, C. DOUGLAS. Under Secretary of State, 1959–1960; Secretary of the Treasury, 1960–1965; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .
DOBRYNIN, ANATOLIY F. Soviet Ambassador to the United States, 1961– .
DUBČEK, ALEXANDER. First Secretary, Central Committee, Communist Party of Czechoslovakia, 1968–1969; Ambassador to Turkey, 1970– .
DUFFIELD, R. B. Director, Argonne National Laboratory; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.
DUGERSUREN, MANGALYN. Ambassador, leader of Mongolian delegation to the CCD, 1969– ; permanent representative of the Mongolian People's Republic to the United Nations.
EDELSTAM, AXEL. Deputy leader of the Swedish delegation to the CCD 1967– .
EKLUND, DR. SIGVARD. IAEA Director-General, 1961– .
EL-GUEBEILY, M. A. Director-General, U.A.R. Atomic Energy Establishment; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.
EPSTEIN, WILLIAM. Deputy Special Representative of the U.N. Secretary-General to the ENDC; Director, Disarmament Affairs Division, Department of Political and Security Council Affairs, 1969– ; Chairman, Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.
ERDELYI, KAROLY. Hungarian Deputy Foreign Minister.
ESCHAUZIER, HENRI F. Netherlands Ambassador, leader of the delegation to the CCD, 1969 (second session)– .
FARLEY, PHILIP J. Deputy Assistant Secretary of State for Politico-Military Affairs, 1967–1969; Deputy Director, U.S. Arms Control and Disarmament Agency, 1969– .
FEDEROV, Y. K. Soviet Academy of Sciences, Meteorological Service; participant, U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.
FINDLEY, PAUL. Member, U.S. House of Representatives (Rep., Ill.), 1961– ; member, Foreign Affairs Committee.
FISHER, ADRIAN S. Deputy Director, U.S. Arms Control and Disarmament Agency, 1961–1969; Dean, Georgetown University School of Law, 1969– .
FOCK, JENO. Chairman, Council of Ministers, Hungary, 1967– .
FONTAINE, ANDRÉ. Director of *Le Monde*, Paris.
FORD, GERALD R. Member, U.S. House of Representatives (Rep., Mich.), 1948– .
FOSTER, DR. JOHN S. Director of Defense Research and Engineering, Department of Defense, 1957– .
FOSTER, WILLIAM C. Director, U.S. Arms Control and Disarmament Agency, 1961–1968; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .
FRANEK, DR. JIRI. Director, Czech Military Institute for Hygiene, Epidemiology, and Microbiology; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.
FRASER, JOHN S. Senior scientist, Atomic Energy of Canada, Ltd.; Rapporteur, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.
FRAZÃO, SÉRGIO ARMANDO. Ambassador, Permanent Representative of Brazil to the United Nations, Geneva; leader of the delegation to the ENDC, 1969.
FULBRIGHT, J. WILLIAM. U.S. Senator (Dem., Ark.), 1945– ; Chairman, Senate Foreign Relations Committee.
FURNAS, HOWARD. Special Assistant to the Director and Executive Secretary, U.S. Arms Control and Disarmament Agency, 1969– .
GARCÍA ROBLES, ALFONSO. Mexican diplomat, Under Secretary for Foreign Affairs, 1964– ; Ambassador, head of delegation to the United Nations, 1965– ; leader of ENDC delegation, 1969.
GOMULKA, WLADYSLAW. First Secretary, Central Committee, Polish United Workers Party, 1959– .
GORDON, KERMIT. President, Brookings Institution, 1967– ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .
GRAEF-FERNÁNDEZ, CARLOS. Director of the Nuclear Centre of Mexico; Chairman, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

GRAYBEAL, SIDNEY N. Deputy Assistant Director, Science and Technology Bureau, U.S. Arms Control and Disarmament Agency, 1964– .

GRINEVSKIY, O. A. Deputy Chief, International Organization, Soviet Ministry of Foreign Affairs; participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969; member, Soviet delegation to ENDC, 1962–1963, 1966–1968; member, Soviet SALT delegation, 1969– .

GROMYKO, ANDREI A. Soviet Minister of Foreign Affairs, 1957– .

GUDKOV, E. C. Official, U.S.S.R. State Committee on Atomic Energy; participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

HANCOCK, WILLIAM W. General Counsel, U.S. Arms Control and Disarmament Agency, 1969– .

HARMEL, PIERRE. Belgian Prime Minister, 1965–1966; Foreign Minister, 1966– .

HIGHTOWER, JOHN. Associated Press correspondent.

HOEBEL, E. ADAMSON. Professor of Anthropology, University of Minnesota; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1969– .

HOLIFIELD, CHET. Member, U.S. House of Representatives (Dem., Calif.), 1943– ; Vice Chairman, Joint Committee on Atomic Energy.

HOLZER, ALFRED. Deputy Division Leader, Peaceful Nuclear Explosives, Lawrence Radiation Laboratory; participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

HOSMER, CRAIG. Member, U.S. House of Representatives (Rep., Calif.), 1953– ; member, Joint Committee on Atomic Energy.

HSIEH, ALICE LANGLEY. China specialist, Institute for Defense Analyses; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964– .

HUSAIN, M. A. Indian Ambassador to Switzerland; leader of the delegation to the ENDC, 1968– .

IGNATIEFF, GEORGE. Canadian Ambassador, Permanent Representative to the CCD, leader of the delegation, 1969– .

ISRAEL, U. N. Director, Soviet Applied Geophysical Institute; participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

JANOWITZ, MORRIS. Professor of Sociology, University of Chicago; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964– .

JAROSZEK, HENRYK. Polish Ambassador, leader of the delegation to the ENDC, 1968 (second session), 1969 (first session).

JAVITS, JACOB. U.S. Senator (Rep., N.Y.), 1956– ; member, Foreign Relations Committee.

JEDRYCHOWSKI, STEFAN. Polish Foreign Minister, 1968– .

JOHNSON, LYNDON B. President of the United States, 1963–1968.

KADAR, JANOS. First Secretary, Central Committee, Hungarian Socialist Workers' Party, 1956– .

KAPLOW, HERBERT. NBC News correspondent.

KARJALAINEN, AHTI. Finnish Minister of Foreign Affairs, 1964– .

KAWAKITA, DR. YOSHIO. President and Professor of Bacteriology, Chiba University, Japan; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

KEDROVSKIY, O. L. Expert, PNE applications, U.S.S.R. State Committee on Atomic Energy; participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

KEENY, SPURGEON M. Assistant Director, Science and Technology Bureau, U.S. Arms Control and Disarmament Agency, 1969– .

KELLY, JOHN S. Director, Division of Peaceful Nuclear Explosives, U.S. Atomic Energy Commission; participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

KHALLAF, HUSSEIN. Ambassador, leader of the U.A.R. delegation to the ENDC, 1966– .

KIESINGER, KURT GEORG. Chancellor of the Federal Republic of Germany, 1966–1969.

KILLIAN, JAMES R. Special Assistant to the President for Science and Technology, 1957–1959; Chairman of the Corporation of Massachusetts Institute of Technology, 1959– ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

KISSINGER, HENRY A. Professor of Government, Harvard University, 1962–1969; Special Assistant to the President for National Security Affairs, 1969– .

KLUSAK, MILAN. Czechoslovak Ambassador, leader of the delegation to the ENDC, 1969.

KOCH, H. H. Chairman, Executive Committee, Danish Atomic Energy Commission; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

KORNIENKO, G. M. Member, Soviet SALT delegation, 1969.

KOSYGIN, ALEXEI NIKOLAEVICH. Chairman of the U.S.S.R. Council of Ministers, 1964– .

KULAGA, EUGENIUSZ. Ambassador, Director of International Organizations Department, Polish Ministry of Foreign Affairs; Permanent Representative to the United Nations.

KUZNETSOV, VASILI V. First Deputy Foreign Minister of the U.S.S.R., 1963– .

DE LABOULAYE, H. Head, Department of Programs, French Commissariat on Atomic Energy; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

LAHODA, TOMÁŠ. Ambassador, Deputy leader of the Czechoslovak delegation to the ENDC, 1966; leader, 1968; deputy leader, 1969.

LAIRD, MELVIN. Member, U.S. House of Representatives (Rep., Wis.), 1953–1969; Secretary of Defense, 1969– .

LEONARD, JAMES F. Assistant Director, International Relations Bureau, U.S. Arms Control and Disarmament Agency, 1969– ; Ambassador, alternate representative, U.S. delegation to the CCD, 1969– .

LINCOLN, GEN. GEORGE A. Head, Office of Emergency Preparedness.

MACOMBER, WILLIAM B., JR. Assistant Secretary of State for Congressional Relations, 1957–1961, 1967–1969; Deputy Under Secretary of State for Administration, 1969– .

DE MAGALHÃES PINTO, JOSÉ. Brazilian Minister for External Relations, 1967–1969.

MALEK, IVAN. Vice President, Czechoslovak Academy of Sciences; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

MANESCU, CORNELIU. Romanian Foreign Minister, 1961– .

MAO TSE-TUNG. Chairman of the Central Committee of the Chinese Communist Party and Chairman of the Politbureau, 1943– .

MAURER, ION GEORGHE. Chairman, Council of Ministers, Socialist Republic of Romania, 1961– .

MCCLOY, JOHN J. Chairman, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1962– .

MCNAMARA, ROBERT S. Secretary of Defense, 1961–1967; President of International Bank for Reconstruction and Development, 1967– .

MCPHAIL, DR. M. K. Director of Chemical and Biological Defence, Defence Chemical, Biological, and Radiation Laboratories, Defence Research Board, Canada; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

MITSUI, S. Professor, Faculty of Agriculture, University of Tokyo; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

MOORER, ADM. THOMAS H., USN. Chief of Naval Operations, 1967–1970; Chairman, Joint Chiefs of Staff, 1970– .

MORO, ALDO. Italian Foreign Minister, 1969– .

MOROKHOV, I. D. First Deputy Chairman of the State Committee on Atomic Energy (U.S.S.R.); participant in U.S.–Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

MOSELY, PHILIP. Professor of International Relations and Director of the European Institute, Columbia University; member, Social Science Advisory Board, U.S. Arms Control and Disarmament Agency, 1964– ; Chairman, Social Science Advisory Board, 1968– .

MOULIN, M. VICTOR. Ingénieur en chef de l'armement, Chef du Bureau de Defense chimique et biologique, Direction technique des armements terrestres; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

MULLEY, FREDERICK W. British Minister of State for Foreign Affairs, and Minister for Disarmament, 1967–1969; leader of the delegation to the ENDC, 1967–1969; Minister of Transport, October 1969– .

MYRDAL, MRS. ALVA. Ambassador, leader of the Swedish delegation to the ENDC, 1962– ; Minister without portfolio, in charge of disarmament, 1966– .

NITZE, PAUL H. Secretary of the Navy, 1963–1967; Deputy Secretary of Defense, 1967–1969; member, U.S. SALT delegation, 1969.

NIXON, RICHARD M. Vice President of the United States, 1952–1960; President, 1969– .

NORDNESS, NEDVILLE E. Public Affairs Adviser, U.S. Arms Control and Disarmament Agency, 1962– .

NORSTAD, GEN. LAURIS, USAF (Ret.). Supreme Allied Commander, Europe (SHAPE) 1956–1963; Chairman of the Board and President, Owens-Corning Fiberglas Corporation, 1967– ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

NOWACKI, PAWEL. Director, Polish Institute of Nuclear Research; Vice-Chairman, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

OGARKOV, Col. Gen. N. V. Member, Soviet SALT delegation, 1969.

OPPENHEIM, LEONARD. Authority on international law; professor of law, Tulane University, La., 1956– .

PACKARD, DAVID. Deputy Secretary of Defense, 1969– .

PARDO, ARVID. Maltese Ambassador, Permanent Representative to the United Nations, 1965– .

PASTORE, JOHN O. U.S. Senator (Dem., R.I.), 1950– ; Chairman, Joint Committee on Atomic Energy, 1967– .

PAULS, ROLF F. Ambassador of the Federal Republic of Germany to the United States, 1969– .

PELL, CLAIBORNE. U.S. Senator (Dem., R.I.), 1960– ; member, Foreign Relations Committee.

PETERSON, PETER G. Chairman of the Board, Bell and Howell Co., 1963– ; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

PETRASCU, M. G. Chief, Department of Nuclear Physics, Romanian Institute of Atomic Physics; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

PLESHAKOV, P. S. Member, Soviet SALT delegation, 1969.

PODGORNY, NICOLAI V. Chairman, Presidium, U.S.S.R. Supreme Soviet, 1964– .

PORTER, IVOR F. Ambassador, deputy leader, U.K. delegation to the ENDC, 1968; alternate leader, U.K. delegation to the ENDC, 1969.

PROTITCH, DRAGOSLAV. U.N. Under Secretary for Special Political Affairs, 1963– ; Special Representative of the U.N. Secretary-General to the ENDC, 1964– .

QUARTEY, J. A. K. Chairman, Management Committee, Ghana Atomic Energy Commission; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

RAZAFINDRATANDRA, R. Associate Director of Mines and Energy, Madagascar; member, U.N. Secretary-General's Group of Experts on Contributions of Nuclear Technology to the Economic and Scientific Advancement of Developing Countries, 1969.

REUTOV, O. A. Academician, Professor of Chemistry, Moscow State University; member, U.N. Secretary-General's Group of Consultant Experts on Chemical and Bacteriological (Biological) Weapons, 1969.

RICHARDSON, ELLIOT L. Lieutenant Governor of Massachusetts, 1964–1969; Under Secretary of State, 1969–1970.

RODIONOV, V. N. Soviet Institute of Earth Physics; participant in U.S.-Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

ROBERTS, CHALMERS M. *Washington Post* correspondent.

ROGERS, WILLIAM P. U.S. Attorney General, 1957–1961; Secretary of State, 1969– .

ROSEN, JACK. Special Assistant to the Commissioner, U.S. Atomic Energy Commission; participant in U.S.-Soviet technical discussions on peaceful uses of nuclear explosions, April 1969.

ROSHCHIN, ALEXEY A. Member, Soviet ENDC delegation, 1962; Ambassador and leader of Soviet ENDC delegation, 1966– .

ROSSIDES, ZENON. Cypriot Ambassador, Permanent Representative to the United Nations.

RUDA, JOSÉ MARIA. Argentine Ambassador, Permanent Representative to the United Nations.

RUINA, JACK. Professor of Electrical Engineering, Massachusetts Institute of Technology, 1963– ; director, Advanced Research Projects Agency, Depart-

ment of Defense, 1961–1963; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

RUNION, C. Industrial representative, Nuclear Fuel Services, West Valley, New York.

RUSK, DEAN. Secretary of State, 1961–1969; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

SATO, EISAKU. Japanese Prime Minister, 1964– .

SCALI, JOHN. ABC News correspondent.

SHCHUKIN, A. N. Member, Soviet SALT delegation, 1969– .

SCHUMANN, MAURICE. French Minister of State for Social Affairs; Foreign Minister, 1969– .

SCOVILLE, HERBERT, JR. Assistant Director, Science and Technology Bureau, U.S. Arms Control and Disarmament Agency, 1963–1969.

SCRANTON, WILLIAM W. Governor of Pennsylvania, 1963–1967; member, General Advisory Committee, U.S. Arms Control and Disarmament Agency, 1969– .

SEABORG, GLENN T. Chairman, U.S. Atomic Energy Commission, 1961– .

SEMPLE, ROBERT B. *New York Times* correspondent.

SEMYONOV, VLADIMIR S. Deputy Foreign Minister of the U.S.S.R.; Head, Soviet SALT delegation, 1969– .

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